

101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.07 (12), 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

**SECTION 1710.** 101.45 of the statutes is renumbered 16.956.

**SECTION 1710m.** 101.575 (4) (a) 1. of the statutes is amended to read:

101.575 (4) (a) 1. The department determines that the city, village, town or fire department is in substantial compliance with sub. (6) and s. ss. 101.14 (2) and 101.141 (1) and (2). The department shall establish by rule the meaning of "substantial compliance" for purposes of this subdivision.

**SECTION 1710r.** 101.575 (4) (a) 2. of the statutes is amended to read:

101.575 (4) (a) 2. The city, village or town has submitted a form which is signed by the clerk of the city, village or town and by the chief of the fire department providing fire protection to that city, village or town, which is provided by the department by rule and which certifies that the fire department is in substantial compliance with this section or the department has audited the city, village, town or fire department and determined that it is in substantial compliance with sub. (6) and s. ss. 101.14 (2) and 101.141 (1) and (2). The department shall establish by rule the meaning of "substantial compliance" for purposes of this subdivision.

**SECTION 1711.** 101.653 (2m) of the statutes is amended to read:

101.653 (2m) **RULES FOR ADMINISTRATION.** The department shall promulgate rules for the administration of construction site erosion control under this subchapter by counties, cities, villages and towns, including provisions regarding the issuance of building permits and the collection and distribution of fees.

**SECTION 1712.** 101.653 (8) of the statutes is created to read:

101.653 (8) **INAPPLICABILITY.** This section does not apply to a construction site that has a land disturbance area that is one acre or more in area.

**SECTION 1712g.** 101.983 (2) (title) of the statutes is amended to read:

101.983 (2) (title) OPERATION; INSPECTIONS.

**SECTION 1712m.** 101.983 (2) (e) of the statutes is created to read:

101.983 (2) (e) *Exemption.* This subsection does not apply to elevators or dumbwaiters that serve individual residential dwelling units.

**SECTION 1712r.** 101.983 (3) of the statutes is created to read:

101.983 (3) **INSPECTIONS; INDIVIDUAL RESIDENTIAL DWELLING UNITS.** No owner of a residence may sell or otherwise transfer an individual residential dwelling unit that is served by a dumbwaiter or an elevator unless the owner provides the purchaser or transferee, prior to the sale or transfer of the property, with an inspection report

from an elevator inspector licensed under s. 101.985 (3) that indicates that the dumbwaiter or elevator complies with this subchapter and any applicable rules promulgated under this subchapter.

**SECTION 1713.** 102.07 (17m) of the statutes is amended to read:

102.07 (17m) A participant in a trial employment match program job under s. 49.147 (3) is an employee of any employer under this chapter for whom the participant is performing service at the time of the injury.

**SECTION 1714.** 102.75 (1m) of the statutes is amended to read:

102.75 (1m) The moneys collected under sub. (1) and under ss. 102.28 (2) and 102.31 (7), together with all accrued interest, shall constitute a separate nonlapsible fund designated as the worker's compensation operations fund. Moneys in the fund may be expended only as provided in s. 20.445 (1) (ra), (rb), and (rp) and (2) (ra) and may not be used for any other purpose of the state.

**SECTION 1714d.** 106.32 of the statutes is created to read:

**106.32 Veteran employment grants. (1) DEFINITIONS.** In this section:

(a) "Disabled veteran" means a veteran who is verified by the department of veterans affairs to have a service-connected disability rating of at least 50 percent under 38 USC 1114 or 1134.

(b) "Full-time job" means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays.

(c) "Part-time job" means a regular, nonseasonal part-time position in which an individual, as a condition of employment, is required to work fewer than 2,080 hours per year, including paid leave and holidays.

(d) "Veteran" means a person who is verified by the department of veterans affairs to have served on active duty under honorable conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed forces, in the national guard, or in a reserve component of the U.S. armed forces.

(2) **GRANTS.** (a) Beginning on the effective date of this paragraph .... [LRB inserts date], from the appropriation account under s. 20.445 (1) (q), the department shall award a grant in any of the following amounts to any person who hires a disabled veteran to work at a business in this state:

1. For each disabled veteran the person hires in the calendar year to work a full-time job at the person's business in this state, \$4,000 in the calendar year in which the disabled veteran is hired and \$2,000 in each of the 3 calendar years following the calendar year in which the disabled veteran is hired.

2. Subject to sub. (3) (c), for each disabled veteran the person hires in the calendar year to work a part-time job at the person's business in this state, \$2,000 in the calen-

dar year in which the disabled veteran is hired and \$1,000 in each of the 3 calendar years following the calendar year in which the disabled veteran is hired.

(b) A person shall apply for a grant under this section in the manner prescribed by the department.

(3) LIMITATIONS. (a) The department shall not pay a grant to an applicant in any calendar year in which the disabled veteran voluntarily or involuntarily leaves his or her employment with the applicant.

(b) The department shall pay a grant under this section only for hiring a disabled veteran who has received unemployment compensation benefits for at least one week prior to being hired by the applicant, who was receiving such benefits at the time that he or she was hired by the applicant, and who was eligible to receive such benefits at the time the benefits were paid.

(c) The department shall determine the amount of the grant under sub. (2) (a) 2. as follows:

1. Divide the number of hours that the disabled veteran worked for the applicant during the calendar year by 2,080.

2. Multiply the amount of the grant under sub. (2) (a) 2., as appropriate, by the number determined under subd. 1.

**SECTION 1714t.** 108.02 (3) of the statutes is created to read:

108.02 (3) ALCOHOL BEVERAGES. "Alcohol beverages" has the meaning given in s. 125.02 (1).

**SECTION 1714u.** 108.02 (9) of the statutes is created to read:

108.02 (9) CONTROLLED SUBSTANCE. "Controlled substance" has the meaning given in s. 961.01 (4).

**SECTION 1714um.** 108.02 (9m) of the statutes is created to read:

108.02 (9m) CONTROLLED SUBSTANCE ANALOG. "Controlled substance analog" has the meaning given in s. 961.01 (4m).

**SECTION 1714w.** 108.02 (15m) (intro.) of the statutes is amended to read:

108.02 (15m) FAMILY CORPORATION. (intro.) ~~Except as provided in s. 108.04 (7) (f), "family~~ "Family corporation" means:

**SECTION 1715.** 108.02 (21e) (intro.) of the statutes is amended to read:

108.02 (21e) PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) "Professional employer organization" means any person who is currently registered as a professional employer organization with the department of ~~safety and professional services~~ financial institutions in accordance with ~~subch. III of ch. 461~~ 202, who contracts to provide the nontemporary, ongoing employee workforce of more than one client under a written leasing contract, the majority of whose clients are not under the same ownership, management, or control as the person other than through the terms of the contract, and who under contract and in fact:

**SECTION 1716.** 108.04 (2) (a) 2. of the statutes, as affected by 2013 Wisconsin Act 11, is amended to read:

108.04 (2) (a) 2. Except as provided in s. 108.062 (10m), as of that week, the individual has registered for work as directed by the department; and

**SECTION 1717.** 108.04 (2) (a) 3. (intro.) of the statutes, as affected by 2013 Wisconsin Act 11, is amended to read:

108.04 (2) (a) 3. (intro.) The individual conducts a reasonable search for suitable work during that week, unless the search requirement is waived under par. (b) or s. 108.062 (10m). The search for suitable work must include ~~2~~ at least 4 actions per week that constitute a reasonable search as prescribed by rule of the department. In addition, the department may, by rule, require an individual to take more than 4 reasonable work search actions in any week. The department shall require a uniform number of reasonable work search actions for similar types of claimants. This subdivision does not apply to an individual if the department determines that the individual is currently laid off from employment with an employer but there is a reasonable expectation of reemployment of the individual by that employer. In determining whether the individual has a reasonable expectation of reemployment by an employer, the department shall request the employer to verify the individual's employment status and shall also consider other factors, including:

**SECTION 1717b.** 108.04 (2) (i) of the statutes is created to read:

108.04 (2) (i) 1. There is a rebuttable presumption that a claimant who is subject to the requirement under par. (a) 3. to conduct a reasonable search for suitable work has not conducted a reasonable search for suitable work in a given week if all of the following apply:

a. The claimant was last employed by a temporary help company.

b. The temporary help company required the claimant to contact the temporary help company about available assignments weekly, or less often as prescribed by the temporary help company, and the company gave the claimant written notice of that requirement at the time the claimant was initially employed by the company.

c. During that week, the claimant was required to contact the temporary help company about available assignments and the claimant did not contact the temporary help company about available assignments.

d. The temporary help company submits a written notice to the department within 10 business days after the end of that week reporting that the claimant did not contact the company about available assignments.

2. A claimant may only rebut the presumption under subd. 1. if the claimant demonstrates one of the following to the department for a given week:

a. That the claimant did contact the temporary help company about available assignments during that week.

b. That the claimant was not informed by the temporary help company of the requirement to contact the temporary help company or had other good cause for his or her failure to contact the temporary help company about available assignments during that week.

3. If a claimant who was last employed by a temporary help company contacts the temporary help company during a given week about available assignments, that contact constitutes one action that constitutes a reasonable search for suitable work, for purposes of par. (a) 3.

**SECTION 1717d.** 108.04 (5) of the statutes is renumbered 108.04 (5) (intro.) and amended to read:

108.04 (5) DISCHARGE FOR MISCONDUCT. (intro.) ~~Unless sub. (5g) results in disqualification, an~~ An employee whose work is terminated by an employing unit for misconduct by the employee connected with the employee's work is ineligible to receive benefits until 7 weeks have elapsed since the end of the week in which the discharge occurs and the employee earns wages after the week in which the discharge occurs equal to at least 14 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's weekly benefit rate shall be ~~that the rate which that~~ would have been paid had the discharge not occurred. The wages paid to an employee by an employer which terminates employment of the employee for misconduct connected with the employee's employment shall be excluded from the employee's base period wages under s. 108.06 (1) for purposes of benefit entitlement. This subsection does not preclude an employee who has employment with an employer other than the employer which terminated the employee for misconduct from establishing a benefit year using the base period wages excluded under this subsection if the employee qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall charge to the fund's balancing account any benefits otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18 from which base period wages are excluded under this subsection. For purposes of this subsection, "misconduct" means one or more actions or conduct evincing such willful or wanton disregard of an employer's interests as is found in deliberate violations or disregard of standards of behavior which an employer has a right to expect of his or her employees, or in carelessness or negligence of such degree or recurrence as to manifest culpability, wrongful intent, or evil design of equal severity to such disregard, or to show an intentional and substantial disregard of an employer's interests, or of an employee's duties and obligations to his or her employer. In addition, "misconduct" includes:

**SECTION 1717f.** 108.04 (5) (a) to (g) of the statutes are created to read:

108.04 (5) (a) A violation by an employee of an employer's reasonable written policy concerning the use of alcohol beverages, or use of a controlled substance or a controlled substance analog, if the employee:

1. Had knowledge of the alcohol beverage or controlled substance policy; and

2. Admitted to the use of alcohol beverages or a controlled substance or controlled substance analog or refused to take a test or tested positive for the use of alcohol beverages or a controlled substance or controlled substance analog in a test used by the employer in accordance with a testing methodology approved by the department.

(b) Theft of an employer's property or services with intent to deprive the employer of the property or services permanently, theft of currency of any value, felonious conduct connected with an employee's employment with his or her employer, or intentional or negligent conduct by an employee that causes substantial damage to his or her employer's property.

(c) Conviction of an employee of a crime or other offense subject to civil forfeiture, while on or off duty, if the conviction makes it impossible for the employee to perform the duties that the employee performs for his or her employer.

(d) One or more threats or acts of harassment, assault, or other physical violence instigated by an employee at the workplace of his or her employer.

(e) Absenteeism by an employee on more than 2 occasions within the 120-day period before the date of the employee's termination, unless otherwise specified by his or her employer in an employment manual of which the employee has acknowledged receipt with his or her signature, or excessive tardiness by an employee in violation of a policy of the employer that has been communicated to the employee, if the employee does not provide to his or her employer both notice and one or more valid reasons for the absenteeism or tardiness.

(f) Unless directed by an employee's employer, falsifying business records of the employer.

(g) Unless directed by the employer, a willful and deliberate violation of a written and uniformly applied standard or regulation of the federal government or a state or tribal government by an employee of an employer that is licensed or certified by a governmental agency, which standard or regulation has been communicated by the employer to the employee and which violation would cause the employer to be sanctioned or to have its license or certification suspended by the agency.

**SECTION 1717h.** 108.04 (5g) of the statutes is repealed and recreated to read:

108.04 (5g) DISCHARGE FOR SUBSTANTIAL FAULT. (a) An employee whose work is terminated by an employing unit for substantial fault by the employee connected with the employee's work is ineligible to receive benefits until

7 weeks have elapsed since the end of the week in which the termination occurs and the employee earns wages after the week in which the termination occurs equal to at least 14 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's benefit rate shall be the rate that would have been paid had the discharge not occurred. For purposes of this paragraph, "substantial fault" includes those acts or omissions of an employee over which the employee exercised reasonable control and which violate reasonable requirements of the employee's employer but does not include any of the following:

1. One or more minor infractions of rules unless an infraction is repeated after the employer warns the employee about the infraction.

2. One or more inadvertent errors made by the employee.

3. Any failure of the employee to perform work because of insufficient skill, ability, or equipment.

(b) The department shall charge to the fund's balancing account the cost of any benefits paid to an employee that are otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18 if the employee is discharged by the employer and paragraph (a) applies.

**SECTION 1717j.** 108.04 (7) (a) of the statutes is amended to read:

108.04 (7) (a) If an employee terminates work with an employing unit, the employee is ineligible to receive benefits until ~~4 weeks have elapsed since the end of the week in which the termination occurs and the employee earns wages after the week in which the termination occurs equal to at least 4~~ 6 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's weekly benefit rate shall be that rate which would have been paid had the termination not occurred. This paragraph does not preclude an employee from establishing a benefit year by using the base period wages paid by the employer from which the employee voluntarily terminated, if the employee is qualified to establish a benefit year under s. 108.06 (2) (a).

**SECTION 1717L.** 108.04 (7) (d), (g), (j), (k), (m), (n), (o), (p) and (r) of the statutes are repealed.

**SECTION 1717n.** 108.04 (7) (e) of the statutes is amended to read:

108.04 (7) (e) Paragraph (a) does not apply if the department determines that the employee accepted work which the employee could have failed to accept with good cause under sub. (8) and terminated such work with the same good cause and within the first ~~40 weeks~~ 30 calendar days after starting the work, or that the employee accepted work which the employee could have refused

under sub. (9) and terminated such work within the first ~~40 weeks~~ 30 calendar days after starting the work. For purposes of this paragraph, an employee has the same good cause for voluntarily terminating work if the employee could have failed to accept the work under sub. (8) (d) when it was offered, regardless of the reason articulated by the employee for the termination.

**SECTION 1717p.** 108.04 (7) (h) of the statutes is amended to read:

108.04 (7) (h) The department shall charge to the fund's balancing account benefits paid to an employee that are otherwise chargeable to the account of an employer that is subject to the contribution requirements of ss. 108.17 and 108.18 if the employee voluntarily terminates employment with that employer and par. (a), (c), ~~(d), (e), (k), (L), (o), (p), (q), (s), or (t)~~ applies.

**SECTION 1717r.** 108.04 (7) (L) (intro.) of the statutes is amended to read:

108.04 (7) (L) (intro.) Paragraph (a) does not apply if the department determines that the employee terminated work to accept employment or other work covered by the unemployment insurance law of any state or the federal government, ~~and earned wages in the subsequent work equal to at least 4 times the employee's weekly benefit rate under s. 108.05 (1) if the work:~~

**SECTION 1717t.** 108.04 (7) (t) of the statutes is renumbered 108.04 (7) (t) (intro.) and amended to read:

108.04 (7) (t) (intro.) Paragraph (a) does not apply if the department determines that ~~the~~ all of the following apply to an employee:

1. The employee's spouse changed his or her place of employment is a member of the U.S. armed forces on active duty.

2. The employee's spouse was required by the U.S. armed forces to relocate to a place to which it is impractical for the employee to commute ~~and the~~.

3. The employee terminated his or her work to accompany the spouse to that place.

**SECTION 1717v.** 108.05 (3) (c) (intro.) of the statutes, as affected by 2013 Wisconsin Act 11, is amended to read:

108.05 (3) (c) (intro.) Except when otherwise authorized in an approved work-share program under s. 108.062 and except as provided in par. (cm), a claimant is ineligible to receive any benefits for a week in which one or more of the following applies to the claimant for 32 or more hours in that week:

**SECTION 1717x.** 108.05 (3) (cm) of the statutes is created to read:

108.05 (3) (cm) 1. In this paragraph:

a. "Complete business shutdown" means that all locations operated by an employer are closed for business completely and no employee employed by the business is required by the employer to report for work or be available for work.



b. "State or federal holiday" means a day specified in s. 230.35 (4) (a) or in 5 USC 6103 (a).

2. An employer may, on or before December 1, provide to the department a written notice designating that the employer will undergo a complete business shutdown on one or more state or federal holidays in the succeeding calendar year. An employer may not designate more than 7 state or federal holidays under this subdivision for a complete business shutdown during the succeeding calendar year.

3. A notice under subd. 2. is not valid for any year subsequent to the succeeding calendar year.

4. The number of hours specified in par. (c), as it applies to a claimant, is reduced by 8 hours for the week during which a state or federal holiday occurs if all of the following apply:

a. The claimant has base period wages only from the employer under subd. 2.

b. The employer designated the state or federal holiday for a complete business shutdown under subd. 2. and underwent a complete business shutdown on that day.

5. If an employer that provides a notice under subd. 2. will not or does not undergo a complete business shutdown on a state or federal holiday as designated in the notice, the employer shall, no later than the first business day following the week in which the state or federal holiday occurs, provide the department with a written notice indicating that the complete business shutdown will not or did not occur.

**SECTION 1718.** 108.14 (7) (bm) of the statutes is created to read:

108.14 (7) (bm) Upon request of the department of revenue, the department may provide information, including social security numbers, concerning claimants to the department of revenue for the purpose of administering state taxes, identifying fraudulent tax returns, providing information for tax-related prosecutions, or locating persons or the assets of persons who have failed to file tax returns, who have underreported their taxable income, or who are delinquent debtors. The department of revenue shall adhere to the limitation on inspection and disclosure of the information under par. (b).

**SECTION 1718e.** 108.14 (8n) (e) of the statutes is amended to read:

108.14 (8n) (e) The department shall charge this state's share of any benefits paid under this subsection to the account of each employer by which the employee claiming benefits was employed in the applicable base period, in proportion to the total amount of wages he or she earned from each employer in the base period, except that if s. 108.04 (1) (f), (5), (7) (a), (c), ~~(d)~~, (e), ~~(k)~~, (L), ~~(o)~~, ~~(p)~~, (q), (s), or (t), (7m) or (8) (a) or 108.07 (3), (3r), (5) (b) or (8) would have applied to employment by such an employer who is subject to the contribution requirements of ss. 108.17 and 108.18, the department shall charge the share of benefits based on employment with

that employer to the fund's balancing account, or, if s. 108.04 (1) (f) or (5) or 108.07 (3) would have applied to an employer that is not subject to the contribution requirements of ss. 108.17 and 108.18, the department shall charge the share of benefits based on that employment in accordance with s. 108.07 (5) (a) and (b). The department shall also charge the fund's balancing account with any other state's share of such benefits pending reimbursement by that state.

**SECTION 1718m.** 108.141 (7) (a) of the statutes is amended to read:

108.141 (7) (a) The department shall charge the state's share of each week of extended benefits to each employer's account in proportion to the employer's share of the total wages of the employee receiving the benefits in the employee's base period, except that if the employer is subject to the contribution requirements of ss. 108.17 and 108.18 the department shall charge the share of extended benefits to which s. 108.04 (1) (f), (5), (7) (a), (c), ~~(d)~~, (e), ~~(k)~~, (L), ~~(o)~~, ~~(p)~~, (q), (s), or (t), (7m) or (8) (a) or 108.07 (3), (3r), (5) (b) or (8) applies to the fund's balancing account.

**SECTION 1718s.** 108.16 (13) of the statutes is created to read:

108.16 (13) If the secretary determines that employers in this state that are subject to a requirement to pay a federal unemployment tax might experience a lower tax rate if this state were to loan moneys to the fund under s. 20.002 (11) (b) 3m., the secretary shall request the secretary of administration to make one or more transfers to the fund in the amount required to maintain a favorable federal tax experience for employers. The secretary shall not request a transfer under this subsection if the outstanding balance of such transfers at the time of the request would exceed \$50,000,000. Whenever the secretary determines that the balance of the fund permits repayment of a transfer, in whole or in part, without jeopardizing the ability of the department to continue to pay other liabilities and costs chargeable to the fund, the secretary shall repay the department of administration for the amount that the secretary determines is available for repayment. The secretary shall ensure that the timing of any repayment accords with federal requirements for ensuring a favorable tax experience for employers in this state.

**SECTION 1719.** 108.161 (7) of the statutes is amended to read:

108.161 (7) If any moneys appropriated hereunder are used to buy and hold suitable land, with a view to the future construction of an employment security building thereon, and if such land is later sold or transferred to other use, the proceeds of such sale (or the value of such land when transferred) shall be credited to the account created by sub. (1) except as otherwise provided in ss. 13.48 (14) and 16.848.

**SECTION 1720.** 108.161 (9) of the statutes is amended to read:

108.161 (9) Any land and building or office quarters acquired under this section shall continue to be used for employment security purposes. Realty or quarters may not be sold or transferred to other use if prior action is taken under s. 13.48 (14) (am) or 16.848 (1) and may not be sold or transferred without the governor's approval.

The proceeds from the sale, or the value of realty or quarters upon transfer, shall be credited to the account established in sub. (1) or credited to the fund established in s. 108.20, or both in accordance with federal requirements. Equivalent substitute rent-free quarters may be provided, as federally approved. Amounts credited under this subsection shall be used solely to finance employment security quarters according to federal requirements.

**SECTION 1720b.** 108.18 (4) (figure) Schedule A line 23. of the statutes is amended to read:

**Figure 108.18 (4):**

Schedule A		
Line	Reserve Percentage	Contribution Rate
23.	Overdrawn by <u>at least 6.0% or more but under 7.0%</u> .....	8.50

**SECTION 1720c.** 108.18 (4) (figure) Schedule A lines 24. to 26. of the statutes are created to read:

**Figure 108.18 (4):**

Schedule A		
Line	Reserve Percentage	Contribution Rate
24.	Overdrawn by at least 7.0% but under 8.0% .....	9.25
25.	Overdrawn by at least 8.0% but under 9.0% .....	10.00
26.	Overdrawn by 9.0% or more .....	10.70

**SECTION 1720d.** 108.18 (4) (figure) Schedule B line 23. of the statutes is amended to read:

**Figure 108.18 (4):**

Schedule B		
Line	Reserve Percentage	Contribution Rate
23.	Overdrawn by <u>at least 6.0% or more but under 7.0%</u> .....	8.50

**SECTION 1720e.** 108.18 (4) (figure) Schedule B lines 24. to 26. of the statutes are created to read:

**Figure 108.18 (4):**

Schedule B		
Line	Reserve Percentage	Contribution Rate
24.	Overdrawn by at least 7.0% but under 8.0% .....	9.25

25.	Overdrawn by at least 8.0% but under 9.0% .....	10.00
26.	Overdrawn by 9.0% or more .....	10.70

SECTION 1720f. 108.18 (4) (figure) Schedule C line 23. of the statutes is amended to read:

Figure 108.18 (4):

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Schedule C		
Line	Reserve Percentage	Contribution Rate
23.	Overdrawn by <u>at least 6.0% or more but under 7.0%</u> .....	8.50

SECTION 1720g. 108.18 (4) (figure) Schedule C lines 24. to 26. of the statutes are created to read:

Figure 108.18 (4)

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Schedule C		
Line	Reserve Percentage	Contribution Rate
24.	Overdrawn by at least 7.0% but under 8.0% .....	9.25
25.	Overdrawn by at least 8.0% but under 9.0% .....	10.00
26.	Overdrawn by 9.0% or more .....	10.70

SECTION 1720h. 108.18 (4) (figure) Schedule D line 23. of the statutes is amended to read:

Figure 108.18 (4):

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Schedule D		
Line	Reserve Percentage	Contribution Rate
23.	Overdrawn by <u>at least 6.0% or more but under 7.0%</u> .....	8.50

SECTION 1720i. 108.18 (4) (figure) Schedule D lines 24. to 26. of the statutes are created to read:

Figure 108.18 (4):

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Schedule D		
Line	Reserve Percentage	Contribution Rate
24.	Overdrawn by at least 7.0% but under 8.0% .....	9.25
25.	Overdrawn by at least 8.0% but under 9.0% .....	10.00
26.	Overdrawn by 9.0% or more .....	10.70

SECTION 1720j. 108.18 (9) (figure) Schedule A lines 25 to 27 of the statutes are created to read:

Figure 108.18 (9):

Schedule A			
Line	Contribution Rate	Solvency Rate	
		Employers with payroll under \$500,000	Employers with payroll of \$500,000 or more
25 .....	9.25 .....	1.30 .....	1.30
26 .....	10.00 .....	1.30 .....	1.30
27 .....	10.70 .....	1.30 .....	1.30

SECTION 1720k. 108.18 (9) (figure) Schedule B lines 25 to 27 of the statutes are created to read:

Figure 108.18 (9):

Schedule B			
Line	Contribution Rate	Solvency Rate	
		Employers with payroll under \$500,000	Employers with payroll of \$500,000 or more
25 .....	9.25 .....	1.30 .....	1.30
26 .....	10.00 .....	1.30 .....	1.30
27 .....	10.70 .....	1.30 .....	1.30

SECTION 1720L. 108.18 (9) (figure) Schedule C line 24 of the statutes is amended to read:

Figure 108.18 (9):

Schedule C			
Line	Contribution Rate	Solvency Rate	
		Employers with payroll under \$500,000	Employers with payroll of \$500,000 or more
24 .....	8.50 .....	<del>1.25</del> 1.30 .....	<del>1.35</del> 1.30

SECTION 1720m. 108.18 (9) (figure) Schedule C lines 25 to 27 of the statutes are created to read:

Figure 108.18 (9):

Schedule C			
Line	Contribution Rate	Solvency Rate	
		Employers with payroll under \$500,000	Employers with payroll of \$500,000 or more
25 .....	9.25 .....	1.30 .....	1.30
26 .....	10.00 .....	1.30 .....	1.30
27 .....	10.70 .....	1.30 .....	1.30

SECTION 1720n. 108.18 (9) (figure) Schedule D lines 25 to 27 of the statutes are created to read:

Figure 108.18 (9):

Schedule D			
Line	Contribution Rate	Solvency Rate	
		Employers with payroll under \$500,000	Employers with payroll of \$500,000 or more
25 .....	9.25 .....	1.30 .....	1.30
26 .....	10.00 .....	1.30 .....	1.30
27 .....	10.70 .....	1.30 .....	1.30

SECTION 1720o. 108.19 (1m) of the statutes is amended to read:

108.19 (1m) Each The department shall pay any interest due on advances from the federal unemployment account to the unemployment reserve fund under Title XII of the federal social security act (42 USC 1321 to 1324) by first applying any amount available for that purpose from the appropriation under s. 20.445 (1) (fx). If the amount appropriated under s. 20.445 (1) (fx) is insufficient to make full payment of the amount due for any year, the department shall then apply any unencumbered balance in the unemployment interest payment fund and any amounts paid under s. 108.20 (2m). If those amounts are insufficient to make full payment of the amount due for any year, the department shall require each employer

subject to this chapter as of the date a rate is established under this subsection shall to pay an assessment to the unemployment interest payment fund at a rate established by the department sufficient to pay interest due on those advances from the federal unemployment account under title XII of the social security act (42 USC 1321 to 1324). The rate established by the department for employers who finance benefits under s. 108.15 (2), 108.151 (2), or 108.152 (1) shall be 75% of the rate established for other employers. The amount of any employer's assessment shall be the product of the rate established for that employer multiplied by the employer's payroll of the previous calendar year as taken from quarterly employment and wage reports filed by the employer under s. 108.205 (1) or, in the absence of the filing of such

reports, estimates made by the department. Each assessment made under this subsection is due on the 30th day commencing after the date on which notice of the assessment is mailed by the department. If the amounts collected from employers under this subsection are in excess of the amounts needed to pay interest due, the department shall use any excess to pay interest owed in subsequent years on advances from the federal unemployment account. If the department determines that additional interest obligations are unlikely, the department shall transfer the excess to the balancing account of the fund.

**SECTION 1720q.** 108.19 (1m) of the statutes, as affected by 2013 Wisconsin Act ... (this act), is amended to read:

108.19 (1m) ~~The department shall pay any interest due on advances from the federal unemployment account to the unemployment reserve fund under Title XII of the federal social security act (42 USC 1321 to 1324) by first applying any amount available for that purpose from the appropriation under s. 20.445 (1) (fx). If the amount appropriated under s. 20.445 (1) (fx) is insufficient to make full payment of the amount due for any year, the department shall then apply any unencumbered balance in the unemployment interest payment fund and any amounts paid under s. 108.20 (2m). If those amounts are insufficient to make full payment of the amount due for any year, the department shall require each~~ Each employer subject to this chapter as of the date a rate is established under this subsection to shall pay an assessment to the unemployment interest payment fund at a rate established by the department sufficient to pay interest due on these advances from the federal unemployment account under Title XII of the social security act (42 USC 1321 to 1324). The rate established by the department for employers who finance benefits under s. 108.15 (2), 108.151 (2), or 108.152 (1) shall be 75% of the rate established for other employers. The amount of any employer's assessment shall be the product of the rate established for that employer multiplied by the employer's payroll of the previous calendar year as taken from quarterly employment and wage reports filed by the employer under s. 108.205 (1) or, in the absence of the filing of such reports, estimates made by the department. Each assessment made under this subsection is due on the 30th day commencing after the date on which notice of the assessment is mailed by the department. If the amounts collected from employers under this subsection are in excess of the amounts needed to pay interest due, the department shall use any excess to pay interest owed in subsequent years on advances from the federal unemployment account. If the department determines that additional interest obligations are unlikely, the department shall transfer the excess to the balancing account of the fund.

**SECTION 1721.** 108.24 (4) of the statutes is amended to read:

108.24 (4) Any person who, without authorization of the department, permits inspection or disclosure of any record relating to the administration of this chapter that is provided to the person by the department under s. 108.14 (7) (a) ~~or~~, (b), or (bm) and any person who, without authorization of the commission, permits inspection or disclosure of any record relating to the administration of this chapter that is provided to the person by the commission under s. 108.14 (7) (a), shall be fined not less than \$25 nor more than \$500 or may be imprisoned in the county jail for not more than one year or both. Each such unauthorized inspection or disclosure constitutes a separate offense.

**SECTION 1722p.** 111.70 (4) (mc) 6. of the statutes is amended to read:

111.70 (4) (mc) 6. The Except for the employee premium contribution, all costs and payments associated with health care coverage plans and the design and selection of health care coverage plans by the municipal employer for public safety employees, and the impact of such costs and payments and the design and selection of the health care coverage plans on the wages, hours, and conditions of employment of the public safety employee.

**SECTION 1728.** 114.33 (6) (a) of the statutes is amended to read:

114.33 (6) (a) For the purposes of carrying out this section and ss. 114.35 and 114.37, the secretary may acquire by gift, devise, purchase or condemnation any lands for establishing, protecting, laying out, enlarging, extending, constructing, reconstructing, improving and maintaining airports, or interests in lands in and about airports. After completion of the improvements, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), the secretary may convey as provided in this subsection lands that were acquired under this subsection, but were not necessary for the airport improvements. The conveyances may be made with reservations concerning the future use and occupation of those lands so as to protect the airports and improvements and their environs and to preserve the view, appearance, light, air and usefulness of the airports.

**SECTION 1729.** 114.33 (10) of the statutes is amended to read:

114.33 (10) Subject to the approval of the governor under this subsection and subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), the secretary may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary when the secretary determines that the property is no longer necessary for the state's use for airport purposes and, if real property, the real property is not the subject of a petition under s. 16.310. The secretary shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the property should be sold, together with an

application for the governor's approval of the sale. The governor shall investigate the proposed sale as he or she deems necessary and approve or disapprove the application. Upon approval and receipt of the full purchase price, the secretary shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary in connection with the sale shall be paid from that fund. ~~This subsection does not apply to real property that is sold under s. 16.848.~~

**SECTION 1731.** 115.28 (7) (g) of the statutes is created to read:

115.28 (7) (g) Notwithstanding s. 118.19 (3), (4m), (6) to (9), and (12) to (14), grant a charter school teaching license to any person who has a bachelor's degree and demonstrates, based upon criteria established by the department, that the person is proficient in the subject or subjects that he or she intends to teach. The license authorizes the person to teach that subject or those subjects in a charter school. The license is valid for 3 years and is renewable for 3-year periods.

**SECTION 1731m.** 115.28 (7) (h) of the statutes is created to read:

115.28 (7) (h) Promulgate a rule requiring an applicant for a license to provide his or her home address.

**SECTION 1732m.** 115.28 (12) (a) of the statutes is repealed and recreated to read:

115.28 (12) (a) 1. Develop a proposal for a multiple-vendor student information system for the standardized collection of pupil data. The proposal shall allow schools and school districts to use their vendor of choice and include reporting requirements that can reasonably be met by multiple vendors. The state superintendent may not establish a student information system unless the proposal is approved by the joint committee on finance under subd. 2.

2. Submit the proposal to the joint committee on finance for its approval, disapproval, or modification. If the joint committee on finance approves the proposal, or modifies and approves the proposal, the state superintendent shall implement the proposal and the joint committee on finance may release to the state superintendent funds from the appropriation under s. 20.865 (4) (a) for the purpose of paying the costs incurred by schools and school districts to meet the proposal's reporting requirements.

3. If the proposal is approved under subd. 2., the state superintendent shall ensure that information about pupils enrolled in charter schools and about pupils enrolled in private schools participating in a parental choice program under s. 118.60 or 119.23, including their academic performance and demographic information, aggregated by school district, school, and teacher, is collected and maintained in the student information system.

**SECTION 1733.** 115.28 (12) (ag) (intro.) of the statutes is amended to read:

115.28 (12) (ag) (intro.) ~~Beginning in the 2012-13 school year, each~~ If the student information system is established under par. (a), each school district, charter school, and private school using the system under par. (a) shall include in the system the following information for each teacher teaching in the school district or school who completed a teacher preparatory program described in sub. (7) (a) and located in this state or a teacher education program described in sub. (7) (e) 2. and located in this state on or after January 1, 2012:

**SECTION 1734.** 115.28 (12) (b) of the statutes is amended to read:

115.28 (12) (b) ~~Ensure~~ If the student information system is established under par. (a), ensure that within 5 years of the establishment of the system under par. (a), every school district and charter school is using the system, and that every private school participating in a parental choice program under s. 118.60 or 119.23 is either using the system under par. (a) or is using a system that is interoperable with the system under par. (a). The state superintendent may promulgate rules authorizing the department to charge a fee to any person that uses the system. All fees shall be credited to the appropriation account under s. 20.255 (1) ~~(jm)~~ (he).

**SECTION 1735.** 115.28 (27) of the statutes is created to read:

115.28 (27) WISELEARN. Develop and maintain an online resource, called WISElearn, to provide educational resources for parents, teachers, and pupils; offer online learning opportunities; provide regional technical support centers; provide professional development for teachers; and enable video conferencing.

**SECTION 1736.** 115.28 (54) of the statutes is created to read:

115.28 (54) COLLABORATIVE CONTENT DELIVERY AND ONLINE INSTRUCTION. Promote the delivery of digital content and collaborative instruction among schools within a school district and between 2 or more school districts, including through online courses. To accomplish the objectives of this subsection, the department may not promulgate a rule that requires a licensed teacher or instructional staff person, defined as required under s. 121.02 (1) (a) 2., to be physically present in a classroom in which the delivery of content or collaborative instruction is being provided in that classroom digitally or through an online course.

**SECTION 1737.** 115.28 (59) of the statutes is created to read:

115.28 (59) ACADEMIC AND CAREER PLANNING. (a) Ensure that, beginning in the 2017-18 school year, every school board is providing academic and career planning services to pupils enrolled in grades 6 to 12 in the school district.



(b) Procure, install, and maintain information technology, including computer software, to be used statewide by school districts to provide academic and career planning services to pupils in grades 6 to 12.

(c) Provide guidance, training, and technical assistance to school districts and school district staff, including teachers and counselors, on how to implement model academic and career plans, including training and technical assistance that is necessary to implement the information technology under par. (b).

(d) Promulgate rules to implement this subsection.

**SECTION 1738.** 115.28 (60) of the statutes is created to read:

115.28 (60) **TEACH FOR AMERICA.** Distribute the amounts appropriated under s. 20.255 (3) (cm) to Teach for America, Inc., to recruit and prepare individuals to teach in low-income or urban school districts in this state.

**SECTION 1739.** 115.297 (1) (a) of the statutes is amended to read:

115.297 (1) (a) "Agencies" means the department, the board of regents of the University of Wisconsin System, the department of children and families, the department of workforce development, the technical college system board, and the Wisconsin Association of Independent Colleges and Universities.

**SECTION 1740.** 115.297 (3) (a) of the statutes is amended to read:

115.297 (3) (a) Requires that the agencies establish and maintain a longitudinal data system of student data that links such data from preschool programs to postsecondary education programs, and describes the process by which the data system will be established and maintained, and ensures its interoperability with the workforce data systems maintained by the department of workforce development. The data system may consist of separate record systems integrated through agreement and data transfer mechanisms.

**SECTION 1741.** 115.297 (3) (d) of the statutes is amended to read:

115.297 (3) (d) Requires the agencies to exchange student and work force data to the extent necessary to perform the evaluation or study approved under par. (c).

**SECTION 1742.** 115.297 (4) (a) of the statutes is amended to read:

115.297 (4) (a) Except as provided in par. (b), any of the agencies may submit student or work force data to the longitudinal data system under sub. (3) (a), to another agency, or to a public or private research organization, to support an evaluation or study under this section.

**SECTION 1743.** 115.297 (6) of the statutes is created to read:

115.297 (6) **REPORT.** Annually by October 1, the agencies shall submit a joint report to the secretary of administration regarding their progress in establishing a longitudinal data system under sub. (3) (a).

**SECTION 1744.** 115.363 (2) (b) of the statutes is amended to read:

115.363 (2) (b) The school board shall pay to each nonprofit corporation with which it contracts under par. (a) an amount that is no more than the amount paid per pupil under s. 118.40 (2r) (e) ~~1m. or 2m., 2n., or 2p.~~ in the current school year multiplied by the number of pupils participating in the program under the contract.

**SECTION 1745.** 115.38 (1) (d) of the statutes is amended to read:

115.38 (1) (d) The number and percentage of resident pupils attending a course ~~in a nonresident school district at an educational institution~~ under s. 118.52, the number of nonresident pupils attending a course in the school district under s. 118.52, and the courses taken by those pupils.

**SECTION 1746.** 115.385 of the statutes is created to read:

**115.385 School and school district accountability report.** (1) Annually by September 30, the department shall publish a school and school district accountability report that includes all of the following components:

(a) Multiple measures to determine a school's performance or a school district's improvement, including all of the following:

1. Pupil achievement and growth in reading and mathematics.
2. Measures of college and career readiness for high school pupils and measures indicative of being on track for college and career readiness in the elementary grades.
3. Gaps in pupil achievement and rates of graduation, categorized by race, English language proficiency, disability, and income level.

(b) An index system to identify a school's level of performance and annually place each school into one of 5 performance categories.

(2) Beginning one year after a charter school established under s. 118.40 (2r) or a private school participating in a parental choice program under s. 118.60 or 119.23 begins using the student information system under s. 115.28 (12) (b), or begins using a system that is interoperable with that system, the department shall include the school in its annual school accountability report under sub. (1).

**SECTION 1748.** 115.415 (2) (intro.) of the statutes is amended to read:

115.415 (2) (intro.) The department shall develop an educator effectiveness evaluation system according to the following framework, and may charge a fee to a school district and the governing body of a charter school established under s. 118.40 (2r) to use the system developed under this subsection:

**SECTION 1749.** 115.415 (4) of the statutes is created to read:

115.415 (4) From the appropriation under s. 20.255 (2) (ek), the department may award grants to school dis-

tricts and the governing body of a charter school established under s. 118.40 (2r) to implement an educator effectiveness evaluation system developed under sub. (2) or an equivalency process established by rule under sub. (3).

**SECTION 1750.** 115.42 (1) (a) 5. of the statutes is created to read:

115.42 (1) (a) 5. The person has a rating of “effective” or “highly effective” in the applicable educator effectiveness system, as determined by the department.

**SECTION 1751e.** 115.42 (2) (d) of the statutes is created to read:

115.42 (2) (d) In any of the 9 school years following the receipt of a grant under sub. (1), if the grant recipient fails to maintain a rating of “effective” or “highly effective” in the applicable educator effectiveness system, as determined by the department, he or she is not eligible for a grant under this subsection in that school year.

**SECTION 1751m.** 115.437 of the statutes is created to read:

**115.437 Per pupil aid.** (1) In this section, “number of pupils enrolled” has the meaning given in s. 121.90 (1) (intro.) and includes 40 percent of the summer enrollment.

(2) Annually on the 4th Monday of March, the department shall pay to each school district an amount equal to the average of the number of pupils enrolled in the school district in the current and 2 preceding school years multiplied by \$75 in the 2013–14 school year and by \$150 in each school year thereafter. The department shall make the payments from the appropriation under s. 20.255 (2) (aq).

**SECTION 1755.** 118.016 (1) of the statutes is amended to read:

118.016 (1) ~~Beginning in In the 2012–13 2013–14~~ school year, each school board and the governing body of each charter school established under s. 118.40 (2r) shall, using the appropriate, valid, and reliable assessment of literacy fundamentals selected by the department, annually assess each pupil enrolled in ~~4-year-old kindergarten to first grade~~ in the school district or in the charter school for reading readiness. ~~Beginning in the 2014–15 school year, each school board and the governing body of each charter school established under s. 118.40 (2r) shall, using the appropriate, valid, and reliable assessment of literacy fundamentals selected by the department, annually assess each pupil enrolled in 4-year-old kindergarten to second grade in the school district or in the charter school for reading readiness.~~ The department shall ensure that the assessment evaluates whether a pupil possesses phonemic awareness and letter sound knowledge.

**SECTION 1756.** 118.145 (4) of the statutes is amended to read:

118.145 (4) The school board of a school district operating high school grades shall allow a pupil enrolled in a private school, ~~or~~ a pupil enrolled in a tribal school,

~~or a pupil enrolled in a home-based educational program,~~ who has met the standards for admission to high school under sub. (1), to take up to 2 courses during each school semester if the pupil resides in the school district in which the public school is located and if the school board determines that there is sufficient space in the classroom.

**SECTION 1757.** 118.19 (13) of the statutes is repealed.

**SECTION 1758.** 118.19 (16) of the statutes is created to read:

118.19 (16) The department shall ensure that teaching experience gained while a person held an emergency permit issued by the department under s. PI 34.21 (2), Wis. Adm. Code, counts toward fulfillment of the teaching experience requirement for a license based on experience under s. PI 34.195 (2), Wis. Adm. Code, or for a license in a school administrator category under s. PI 34.32, Wis. Adm. Code.

**SECTION 1759.** 118.30 (1) of the statutes is amended to read:

118.30 (1) The state superintendent shall adopt or approve examinations designed to measure pupil attainment of knowledge and concepts in the 4th, 8th ~~and 9th~~, 10th, ~~and 11th~~ grades.

**SECTION 1760.** 118.30 (1m) (ar) of the statutes is created to read:

118.30 (1m) (ar) Except as provided in sub. (7), beginning in the 2014–15 school year, administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 9th grade. The school board shall administer the examination once in the fall session and once in the spring session.

**SECTION 1760m.** 118.30 (1m) (b) of the statutes is amended to read:

118.30 (1m) (b) Except as provided in sub. (7), administer the 10th grade examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the spring session of the 10th grade.

**SECTION 1761.** 118.30 (1m) (c) of the statutes is created to read:

118.30 (1m) (c) Except as provided in sub. (7), beginning in the 2014–15 school year, administer the 11th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the spring session of the 11th grade.

**SECTION 1762.** 118.30 (1r) (ar) of the statutes is created to read:

118.30 (1r) (ar) Beginning in the 2014–15 school year, administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the charter school in the 9th grade. The

charter school shall administer the examination once in the fall session and once in the spring session.

**SECTION 1762m.** 118.30 (1r) (b) of the statutes is amended to read:

118.30 (1r) (b) Administer the 10th grade examination to all pupils enrolled in the charter school in the spring session of the 10th grade.

**SECTION 1763.** 118.30 (1r) (c) of the statutes is created to read:

118.30 (1r) (c) Beginning in the 2014–15 school year, administer the 11th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils enrolled in the charter school in the spring session of the 11th grade.

**SECTION 1764.** 118.30 (1s) (a) 2m. of the statutes is created to read:

118.30 (1s) (a) 2m. Beginning in the 2014–15 school year, administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 9th grade in the private school under s. 119.23. The private school shall administer the examination once in the fall session and once in the spring session.

**SECTION 1764m.** 118.30 (1s) (a) 3. of the statutes is amended to read:

118.30 (1s) (a) 3. Administer In the spring session, administer the 10th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 10th grade in the private school under s. 119.23.

**SECTION 1765.** 118.30 (1s) (a) 3m. of the statutes is created to read:

118.30 (1s) (a) 3m. Beginning in the 2014–15 school year in the spring session administer the 11th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 11th grade in the private school under s. 119.23.

**SECTION 1766.** 118.30 (1t) (bm) of the statutes is created to read:

118.30 (1t) (bm) Beginning in the 2014–15 school year, in the spring session administer the 9th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 9th grade in the private school under s. 118.60. The private school shall administer the examination once in the fall session and once in the spring session.

**SECTION 1766m.** 118.30 (1t) (c) of the statutes is amended to read:

118.30 (1t) (c) Administer In the spring session, administer the 10th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 10th grade in the private school under s. 118.60.

**SECTION 1767.** 118.30 (1t) (cm) of the statutes is created to read:

118.30 (1t) (cm) Beginning in the 2014–15 school year, in the spring session administer the 11th grade examination adopted or approved by the state superintendent under sub. (1) to all pupils attending the 11th grade in the private school under s. 118.60.

**SECTION 1768.** 118.30 (2) (b) 5. of the statutes is amended to read:

118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing body of a private school participating in the program under s. 119.23 shall excuse the pupil from taking an examination administered under sub. (1s) (a) 1. to 3. 3m.

**SECTION 1769.** 118.30 (2) (b) 6. of the statutes is amended to read:

118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing body of a private school participating in the program under s. 118.60 shall excuse the pupil from taking an examination administered under sub. (1t) (a) to (e) (cm).

**SECTION 1778m.** 118.40 (2r) (bm) of the statutes is amended to read:

118.40 (2r) (bm) The common council of the city of Milwaukee, ~~the chancellor of the University of Wisconsin–Milwaukee, and the Milwaukee area technical college district board may only establish or enter into a contract for the establishment of a charter school located only in the school district operating under ch. 119. The chancellor of the University of Wisconsin–Milwaukee may establish or enter into a contract for the establishment of a charter school located only in Milwaukee County or in an adjacent county.~~ The chancellor of the University of Wisconsin–Parkside may only establish or enter into a contract for the establishment of a charter school located in a unified school district that is located in the county in which the University of Wisconsin–Parkside is situated or in an adjacent county.

**SECTION 1780m.** 118.40 (2r) (c) 1. (intro.) of the statutes is amended to read:

118.40 (2r) (c) 1. (intro.) Except as provided in ~~subd. subds. 3. and 4.,~~ only pupils who reside in the school district in which a charter school established under this subsection is located may attend the charter school.

**SECTION 1780r.** 118.40 (2r) (c) 4. of the statutes is created to read:

118.40 (2r) (c) 4. A pupil who resides in Milwaukee County or in an adjacent county may attend any charter school established under this subsection in Milwaukee County or in an adjacent county.

**SECTION 1782.** 118.40 (2r) (e) 1m. of the statutes is repealed.

**SECTION 1783.** 118.40 (2r) (e) 2m. of the statutes is amended to read:

118.40 (2r) (e) 2m. In the 2013–14 school year ~~and in each school year thereafter,~~ from the appropriation under s. 20.255 (2) (fm), the department shall pay to the

operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year and the per pupil revenue limit adjustment under s. 121.91 (2m) in the current school year, \$7,925 multiplied by the number of pupils attending the charter school.

**SECTION 1784.** 118.40 (2r) (e) 2n. of the statutes is created to read:

118.40 (2r) (e) 2n. In the 2014–15 school year, from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to \$8,075 multiplied by the number of pupils attending the charter school.

**SECTION 1784m.** 118.40 (2r) (e) 2p. of the statutes is created to read:

118.40 (2r) (e) 2p. In the 2015–16 school year and in each school year thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, if positive. The change in the statewide categorical aid per pupil shall be determined as follows:

a. Add the amounts appropriated in the current fiscal year under s. 20.255 (2), except s. 20.255 (2) (ac), (bb), (fm), (fr), (fu), (k), and (m); s. 20.285 (1) (r) and (rc); and 20.505 (4) (es) and (s).

b. Add the amounts appropriated in the previous fiscal year under the sections specified in this subd. 2p. a.

c. Subtract the sum under this subd. 2p. b. from the sum under this subd. 2p. a.

d. Divide the remainder under subd. 2p. c. by the average of the number of pupils enrolled statewide in the 3 previous school years. In this subd. 2p. d., “number of pupils enrolled” has the meaning given in s. 121.90 (1) (intro.) and includes 40 percent of the summer enrollment.

**SECTION 1785.** 118.40 (2r) (e) 3m. of the statutes is amended to read:

118.40 (2r) (e) 3m. The amount paid per pupil under this paragraph may not be less than the amount paid per pupil under this paragraph in the previous school year. The department shall pay 25% of the total amount in September, 25% in December, 25% in February, and 25% in June. The department shall send the check to the operator of the charter school.

**SECTION 1786.** 118.40 (2r) (e) 4. of the statutes is repealed.

**SECTION 1807.** 118.40 (7) (ar) of the statutes is amended to read:

118.40 (7) (ar) Nothing in this subsection ~~section~~ affects the rights of personnel of a charter school that is

an instrumentality of a school district to engage in collective bargaining pursuant to subch. IV of ch. 111.

**SECTION 1808.** 118.40 (8) (b) 3. of the statutes is created to read:

118.40 (8) (b) 3. The department may not require a person licensed as provided under subd. 1. to complete professional development not required of any other individual required to be licensed under s. 118.19.

**SECTION 1810m.** 118.51 (16) (a) 3. of the statutes is repealed and recreated to read:

118.51 (16) (a) 3. a. For the amount in the 2013–14 and 2014–15 school years, the amount determined under this subdivision for the previous school year plus \$150.

b. Beginning with the amount in the 2015–16 school year, the sum of the amount determined under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

**SECTION 1811.** 118.52 (title) of the statutes is repealed and recreated to read:

**118.52 (title) Course options.**

**SECTION 1812.** 118.52 (1) (a) of the statutes is renumbered 118.52 (1) (ar).

**SECTION 1813.** 118.52 (1) (am) of the statutes is created to read:

118.52 (1) (am) “Educational institution” includes a public school in a nonresident school district, the University of Wisconsin System, a technical college, a nonprofit institution of higher education, a tribal college, a charter school, and any nonprofit organization that has been approved by the department.

**SECTION 1814.** 118.52 (2) of the statutes is amended to read:

118.52 (2) APPLICABILITY. ~~Beginning in the 1998–99 school year, a~~ A pupil enrolled in a public school in the high school grades may attend ~~public school in a nonresident school district~~ an educational institution under this section for the purpose of taking a course offered by the ~~nonresident school district~~ educational institution. A pupil may attend no more than 2 courses at any time in ~~nonresident school districts~~ at educational institutions under this section.

**SECTION 1815.** 118.52 (3) (a) of the statutes is amended to read:

118.52 (3) (a) The parent of a pupil who wishes to attend ~~public school in a nonresident school district~~ an educational institution for the purpose of taking a course under this section shall submit an application, on a form provided by the department, to the ~~school board of the nonresident school district in which~~ educational institution at which the pupil wishes to attend a course not later than 6 weeks prior to the date on which the course is scheduled to commence. The application shall specify

the course that the pupil wishes to attend and may specify the school or schools at which the pupil wishes to attend the course. The ~~nonresident school board~~ educational institution shall send a copy of the application to the pupil's resident school board.

**SECTION 1816.** 118.52 (3) (b) of the statutes is amended to read:

118.52 (3) (b) If ~~a nonresident school board~~ an educational institution receives more applications for a particular course than there are spaces available in the course, the ~~nonresident school board~~ educational institution shall determine which pupils to accept on a random basis.

**SECTION 1817.** 118.52 (3) (c) of the statutes is amended to read:

118.52 (3) (c) No later than one week prior to the date on which the course is scheduled to commence, the ~~nonresident school board~~ educational institution shall notify the applicant and the resident school board, in writing, whether the application has been accepted and, if the application is accepted, the school at which the pupil may attend the course. The acceptance applies only for the following semester, school year or other session in which the course is offered. If the ~~nonresident school board~~ educational institution rejects an application, it shall include in the notice the reason for the rejection.

**SECTION 1818.** 118.52 (3) (d) 1. of the statutes is amended to read:

118.52 (3) (d) 1. If it denies an application to attend ~~public school in a nonresident school district~~ an educational institution under sub. (6), notify the applicant and the ~~nonresident school board~~ educational institution, in writing, that the application has been denied and include in the notice the reason for the rejection.

**SECTION 1819.** 118.52 (3) (e) of the statutes is amended to read:

118.52 (3) (e) Following receipt of a notice of acceptance but prior to the date on which the course is scheduled to commence, the pupil's parent shall notify the resident school board and ~~nonresident school board~~ the educational institution of the pupil's intent to attend the course ~~in at the nonresident school district~~ educational institution.

**SECTION 1820.** 118.52 (6) (a) of the statutes is amended to read:

118.52 (6) (a) *Individualized education program requirements.* The school board of a pupil's resident school district shall reject a pupil's application to attend a course ~~in a public school in a nonresident school district~~ at an educational institution if the resident school board determines that the course conflicts with the individualized education program for the pupil under s. 115.787 (2).

**SECTION 1821.** 118.52 (6) (b) of the statutes is repealed.

**SECTION 1822.** 118.52 (6) (c) of the statutes is created to read:

118.52 (6) (c) *Pupil plan; high school graduation requirements.* The school board of a pupil's resident school district may reject an application by a pupil to attend a course at an educational institution if the resident school board determines that any of the following apply:

1. The course does not satisfy a high school graduation requirement under s. 118.33.
2. The course does not conform to or support the pupil's academic and career plan under s. 115.28 (59) (a), if any.

**SECTION 1823.** 118.52 (8) of the statutes is amended to read:

118.52 (8) **APPEAL OF REJECTION.** If an application is rejected under sub. ~~(5) (3) (c)~~ or a pupil is prohibited from attending a course ~~in a public school in a nonresident school district~~ at an educational institution under sub. (6), the pupil's parent may appeal the decision to the department within 30 days after the decision. The department shall affirm the ~~school board's~~ decision unless the department finds that the decision was arbitrary or unreasonable. The department's decision is final and is not subject to judicial review under subch. III of ch. 227.

**SECTION 1824.** 118.52 (9) of the statutes is amended to read:

118.52 (9) **RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS.** A pupil attending a course ~~in a public school in a nonresident school district~~ at an educational institution under this section has all of the rights and privileges of other pupils residing in that school district attending the educational institution and is subject to the same rules and regulations as ~~those pupils residing in that school district~~.

**SECTION 1825.** 118.52 (10) of the statutes is amended to read:

118.52 (10) **DISCIPLINARY RECORDS.** Notwithstanding s. 118.125, the resident school board shall provide to the ~~nonresident school board~~ educational institution to which a pupil has applied under this section, upon request by that ~~school board~~ educational institution, a copy of any expulsion findings and orders, a copy of records of any pending disciplinary proceeding involving the pupil, a written explanation of the reasons for the expulsion or pending disciplinary proceeding and the length of the term of the expulsion or the possible outcomes of the pending disciplinary proceeding.

**SECTION 1826.** 118.52 (11) (a) and (b) of the statutes are amended to read:

118.52 (11) (a) *Responsibility.* The parent of a pupil attending a course ~~in a public school in a nonresident school district~~ at an educational institution under this section is responsible for transporting the pupil to and from the course that the pupil is attending.

(b) *Low-income assistance.* The parent of a pupil who is attending a course ~~in a public school in a nonresident school district~~ at an educational institution under this section may apply to the department for reimburse-

ment of the costs incurred by the parent for the transportation of the pupil to and from the pupil's residence or school in which the pupil is enrolled and the school at which educational institution that the pupil is attending for the course if the pupil and parent are unable to pay the cost of such transportation. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cy). The department shall give preference under this paragraph to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

**SECTION 1827.** 118.52 (12) of the statutes is amended to read:

**118.52 (12) TUITION.** The resident school board shall pay to the ~~nonresident school board~~ educational institution, for each resident pupil attending a course ~~in a public school in the nonresident school district at the educational institution~~ under this section, an amount equal to the cost of providing the course to the pupil, calculated in a manner determined by the department. The educational institution may not charge to or receive from the pupil or the pupil's resident school board any additional payment for a pupil attending a course at the educational institution under this section.

**SECTION 1828.** 118.53 of the statutes is created to read:

**118.53 Attendance by pupils enrolled in a home-based private educational program.** (1) In this section, "course" means study which has the fundamental purposes of developing the knowledge, concepts, and skills in a subject.

(2) In addition to the standards for admission under ss. 118.14, 118.145 (1), and 120.12 (25), the school board of a district shall determine the minimum standards for admission to a course offered by the school district at each grade.

(3) A school board shall allow a pupil enrolled in a home-based private educational program, who has met the standards for admission to the course under sub. (2), to attend up to 2 courses at a public school in the district during each school semester if the school board determines that there is sufficient space in the classroom.

(4) A pupil enrolled in a home-based private educational program and attending a public school under this section may attend one course in each of 2 school districts, but may not attend more than 2 courses in any semester.

**SECTION 1828g.** 118.56 of the statutes is created to read:

**118.56 Work based learning programs.** A school board, a governing body of a charter school established under s. 118.40 (2r), or a governing body of a private school may create a work based learning program for pupils in grades 9 to 12. A school board or governing body that creates a work based learning program under

this section shall create the program to do all of the following:

(1) Require a pupil in the program to work at least 280 hours per school year for an employer that complies with sub. (3). Hours of instruction may not be used to satisfy the work requirements under this subsection.

(2) Require a pupil to complete the required work hours by working no fewer than 40 and no more than 50 days per school year, by working no fewer than 6 and no more than 8 hours per day, and by working no more than 2 days per week.

(3) Require that an employer who participates in the program do all of the following:

(a) Comply with state child labor laws under ss. 103.21 to 103.31 and 103.64 to 103.82 and any applicable federal labor law requirements for age and immigration status.

(b) Provide each pupil with occupational training and work based learning experiences.

(c) Provide each pupil with at least 30 hours of training while employing the pupil.

(d) Provide each pupil with a mentor who supervises the pupil's work and provides the pupil with a year-end evaluation.

(e) Provide a year-end evaluation to the pupil.

(4) Provide transportation to and from the workplace at no cost to the pupil or the pupil's family.

(5) In determining eligibility for the program, allow the school board or governing body to require a pupil to demonstrate employability through an interview process, teacher recommendations, or previous work, internship, or volunteer experience.

(6) Require that a pupil who wishes to participate in the program enter into a signed agreement with the participating school and the pupil's parent or guardian.

**SECTION 1829.** 118.60 (title) of the statutes is amended to read:

**118.60 (title) Parental choice programs program for eligible school districts and other school districts.**

**SECTION 1829e.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

118.60 (2) (a) (intro.) ~~Subject to par. (b), any~~ Any pupil in grades kindergarten to 12 who resides within an eligible school district may attend any private school under this section and, subject to pars. (be), (bm), and (bs), any pupil in grades kindergarten to 12 who resides in a school district, other than an eligible school district or a 1st class city school district, may attend any private school under this section if all of the following apply:

**SECTION 1829m.** 118.60 (2) (a) 1. a. of the statutes is amended to read:

118.60 (2) (a) 1. a. ~~The~~ Except as provided in par. (bm), the pupil is a member of a family that has a total family income that does not exceed an amount equal to 3.0 times the poverty level determined in accordance

with criteria established by the director of the federal office of management and budget. In this subdivision and sub. (3m), family income includes income of the pupil's parents or legal guardians. The family income of the pupil shall be verified as provided in subd. 1. b. A pupil attending a private school under this section whose family income increases may continue to attend a private school under this section.

**SECTION 1829s.** 118.60 (2) (a) 2. (intro.) of the statutes is amended to read:

118.60 (2) (a) 2. (intro.) The For a pupil that resides in an eligible school district, the pupil satisfies one or more of the following:

**SECTION 1840.** 118.60 (2) (a) 3. a. of the statutes is amended to read:

118.60 (2) (a) 3. a. Except as provided in subd. 3. b. and c., the private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 119.23, and paid the nonrefundable fee, set by the department as required under s. 119.23 (2) (a) 3., by February 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section and in the program under s. 119.23 for which the school has space.

**SECTION 1840e.** 118.60 (2) (a) 3. c. of the statutes is created to read:

118.60 (2) (a) 3. c. For a private school that intends to participate in the program under this section and to accept pupils who reside in a school district, other than an eligible school district or a 1st class city school district, in the 2013-14 school year, the private school notified the state superintendent of its intent to participate and paid the nonrefundable fee set by the department as required under s. 119.23 (2) (a) 3. by July 26, 2013. The private school shall include an electronic mail address on the notice of intent to participate and shall specify the number of pupils who reside in a school district, other than an eligible school district or a 1st class city school district, for which the school has space. The department shall notify the private school that it has received the notice of intent to participate in writing and by electronic mail by July 31, 2013.

**SECTION 1840m.** 118.60 (2) (a) 6. a. of the statutes is amended to read:

118.60 (2) (a) 6. a. Except as provided in subd. 6. c. and d., all of the private school's teachers have a bachelor's degree or a degree or educational credential higher than a bachelor's degree, including a masters or doctorate, from an accredited institution of higher education.

**SECTION 1840s.** 118.60 (2) (a) 6. d. of the statutes is created to read:

118.60 (2) (a) 6. d. Any teacher employed on July 1, 2013, by a private school that accepts pupils under the program who reside in a school district, other than an eligible school district or a 1st class city school district, who has been teaching for at least the 5 consecutive years

immediately preceding that July 1, and who does not satisfy the requirements under subd. 6. a. on that July 1, applies to the department on a form prepared by the department for a temporary, nonrenewable waiver from the requirements under subd. 6. a. The department shall promulgate rules to implement this subd. 6. d., including the form of the application and the process by which the waiver application will be reviewed. The application form shall require the applicant to submit a plan for satisfying the requirements under subd. 6. a., including the name of the accredited institution of higher education at which the teacher is pursuing or will pursue the bachelor's degree and the anticipated date on which the teacher expects to complete the bachelor's degree. No waiver granted under this subd. 6. d. is valid after July 31 of the 5th school year that begins after July 1, 2013.

**SECTION 1843.** 118.60 (2) (a) 7. of the statutes is amended to read:

118.60 (2) (a) 7. For a private school that is a first-time participant in the program under this section or in the program under s. 119.23, and that is not accredited by Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or by any other organization recognized by the National Council for Private Schools Accreditation, the private school obtains preaccreditation by the Institute for the Transformation of Learning at Marquette University, Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, or the diocese or archdiocese within which the private school is located by ~~September~~ August 1 before the first school term of participation in the program under this section or in the program under s. 119.23 that begins after ~~August 31, 2011;~~ by July 1, 2013; August 1 before the first school term of participation in the program under this section that begins in the first school year that begins after a school district is identified as an eligible school district under sub. (1m); or by May 1 if the private school begins participation in the program under this section or in the program under s. 119.23 during summer school. In any school year, a private school may apply for and seek to obtain preaccreditation from only one of the entities enumerated in this subdivision. A private school that fails to obtain ~~accreditation~~ preaccreditation in a school year may apply for and seek to obtain preaccreditation from one of the entities enumerated in this subdivision in the following school year. The private school shall achieve accreditation by Wisconsin North Central Association,



Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year in which the private school begins participation in the program under this section. If the private school is accredited under this subdivision, the private school is not required to obtain preaccreditation as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

**SECTION 1844.** 118.60 (2) (b) of the statutes is repealed.

**SECTION 1844e.** 118.60 (2) (be) of the statutes is created to read:

118.60 (2) (be) 1. a. Subject to subd. 1. b., in the 2013–14 school year, no more than 500 pupils, as counted under s. 121.004 (7), who reside in a school district, other than an eligible school district or a 1st class city school district, may attend private schools under this section.

b. For purposes of determining whether the pupil participation limit under subd. 1. a. has been reached, a pupil who resides in a school district other than an eligible school district or a 1st class city school district and who attends a private school that participated in the program under this section or under s. 119.23 in the 2012–13 school year is not counted.

2. a. Subject to subd. 2. b., in the 2014–15 school year and in each school year thereafter, no more than 1,000 pupils, as counted under s. 121.004 (7), who reside in a school district, other than an eligible school district or a 1st class city school district, may attend private schools under this section.

b. For purposes of determining whether the pupil participation limit under subd. 2. a. has been reached, a pupil who resides in a school district other than an eligible school district or a 1st class city school district and who attends a private school that participated in the program under this section or under s. 119.23 in the 2012–13 school year is not counted.

3. In any school year, no more than 1 percent of the membership, as defined under s. 121.004 (5), of any one school district, other than an eligible school district or a 1st class city school district, may attend private schools under this section.

**SECTION 1844m.** 118.60 (2) (bm) of the statutes is created to read:

118.60 (2) (bm) No pupil who resides in a school district, other than an eligible school district or a 1st class city school district, may attend a participating private school under this section unless the pupil is a member of

a family that has a total family income that does not exceed an amount equal to 1.85 times the poverty level, determined in accordance with criteria established by the director of the federal office of management and budget. In this paragraph and sub. (3m), family income includes income of the pupil's parents or legal guardians. The family income of the pupil shall be verified as provided in par. (a) 1. b. A pupil attending a private school under this section whose family income increases may continue to attend a private school under this section.

**SECTION 1844s.** 118.60 (2) (bs) of the statutes is created to read:

118.60 (2) (bs) In the 2013–14 and 2014–15 school years, a private school may accept pupils who reside in a school district, other than an eligible school district or a 1st class city school district, under this section only if the private school was operating as a private school on May 1, 2013.

**SECTION 1847.** 118.60 (3) (a) of the statutes is renumbered 118.60 (3) (a) (intro.) and amended to read:

118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same family applies to attend the same private school, the pupils may use a single application. Within 60 days after receiving the application, the private school shall notify each applicant, in writing, whether his or her application has been accepted. If the private school rejects an application, the notice shall include the reason. ~~A private~~ Subject to pars. (ag) and (ar), a private school may reject an applicant only if it has reached its maximum general capacity or seating capacity. ~~The~~ Except as provided in pars. (ag) and (ar) the state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that the private school may give preference in accepting applications to siblings of pupils accepted on a random basis.

**SECTION 1847m.** 118.60 (3) (a) 1. of the statutes is created to read:

118.60 (3) (a) 1. The private school may give preference in accepting applications to any of the following:

a. Pupils who attended the private school under this section during the school year prior to the school year for which the application is being made.

b. Siblings of pupils who attended the private school during the school year prior to the school year for which the application is being made and to siblings of pupils who have been accepted to the private school for the school year for which the application is being made.

c. Pupils who attended another private school under this section or s. 119.23 during the school year prior to the school year for which the application is being made.

**SECTION 1848b.** 118.60 (3) (a) 2. of the statutes is created to read:

118.60 (3) (a) 2. For a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, the private school shall give preference to a pupil who satisfies any of the following:

a. The pupil was enrolled in a public school in the school district in the previous year and is applying to attend a participating private school in grade 2 through 8 or grade 10 through 12.

b. The pupil was not enrolled in school in the previous school year.

**SECTION 1848d.** 118.60 (3) (ag) of the statutes is created to read:

118.60 (3) (ag) 1. In the 2013–14 school year, a private school that has submitted a notice of intent to participate under sub. (2) (a) 3. c. may begin accepting applications beginning on August 1, 2013, from pupils who reside in a school district, other than an eligible school district or a 1st class city school district.

2. By August 9, 2013, each private school that has received applications under subd. 1. shall report to the department the name of each pupil who has applied to attend the private school under this section, the total number of pupils that have applied to attend the private school under this section, the names of those applicants that have siblings who have also applied to attend the private school under this section, and the number of such sibling applicants.

3. Upon receipt of the information under subd. 2., the department shall determine the sum of all applicants under this paragraph. In determining the sum, the department shall count a pupil who has applied to attend more than one private school under the program only once. After determining the sum of all applicants, the department shall do one of the following:

a. If the total number of applicants does not exceed the pupil participation limit established under sub. (2) (be) 1., the department shall immediately notify the private schools that all applicants reported under subd. 2. may be accepted into the private schools under the program for the 2013–14 school year.

b. Subject to subd. 7., if the total number of applicants exceeds the pupil participation limit established under sub. (2) (be) 1., the department shall notify those 25 private schools that received the most applications that the private school may accept pupils who reside in a school district, other than an eligible school district or a 1st class city school district, under this section. Upon the request of the governing body of a private school, the department shall include in its count of 25 private schools more than one unique campus location of a private school operating under one federal tax identification number if each such campus location otherwise qualifies to be included in the count under this subd. 3. b. The department shall allocate to each of the 25 private schools 10 pupil slots and shall fill each slot by random drawing. If a pupil chosen by random drawing has a sibling that applied to the private

school, the next available slot shall be filled by the sibling. The department shall fill the remaining 250 spaces by random drawing from applications submitted to those 25 schools. If a pupil chosen by random drawing has a sibling that applied to the private school, the next available slot shall be filled by the sibling.

4. a. The department shall establish and maintain a waiting list for those applicants who were not selected in a random drawing conducted under subd. 3. b., and shall give preference to siblings.

b. The department shall refund the nonrefundable fee set by the department as required under s. 119.23 (2) (a) 3. to any private school that did not accept applications under this section or s. 119.23 in the 2012–13 school year and that did not get included in the count of 25 private schools under subd. 3. b.

5. a. A private school that has been authorized to accept pupils under subd. 3. a. may accept additional applications from pupils who reside in a school district, other than an eligible school district or a 1st class city school district, and who wish to attend the private school under this section, only during the periods that apply to an eligible school district. If a private school accepts additional applications from pupils as permitted under this subd. 5. a., the private school shall notify the department each time the private school receives an application.

b. If, upon receipt of a notice under subd. 5. a., the department determines that the total number of pupils who have applied to attend private schools under this paragraph will exceed the pupil participation limit under sub. (2) (be) 1., the department shall establish and administer a waiting list in the manner provided under subd. 4.

6. A private school that has accepted a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. The department shall fill any such available slot with a pupil selected at random from a waiting list established under subd. 4., if such a waiting list exists, but shall give preference to a sibling of a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, and who is attending the private school under this section.

7. A private school that participated in the program under this section or under s. 119.23 in the 2012–13 school year may not be selected as one of the 25 schools under subd. 3. b. The department shall notify a private school to which this subdivision applies that all applicants reported under subd. 2. may be accepted into the private school for the 2013–14 school year.

**SECTION 1848h.** 118.60 (3) (ar) of the statutes is created to read:

118.60 (3) (ar) 1. In the 2014–15 school year and any school year thereafter, a private school that has submitted a notice of intent to participate under sub. (2) (a) 3. a. may

accept applications for the following school year between February 1 and April 20 from pupils who reside in a school district, other than an eligible school district or a 1st class city school district.

2. By May 1, 2014, and by May 1 of any school year thereafter, each private school that has received applications under subd. 1. shall report to the department the name of each pupil who has applied to attend the private school under this section, the total number of pupils that have applied to attend the private school under this section, the names of those applicants that have siblings who have also applied to attend the private school under this section, and the number of such sibling applicants.

3. Upon receipt of the information under subd. 2., the department shall determine the sum of all applicants under this paragraph. In determining the sum, the department shall count a pupil who has applied to attend more than one private school under the program only once. After determining the sum of all applicants, the department shall do one of the following:

a. If the total number of applicants does not exceed the pupil participation limit established under sub. (2) (be) 2., the department shall immediately notify the private schools that all applicants reported under subd. 2. may be accepted into the private schools under the program for the next school year.

b. Subject to subd. 7., if the total number of applicants exceeds the pupil participation limit established under sub. (2) (be) 2., the department shall allocate to those private schools that participated in the program in the preceding school year the same number of slots held by pupils participating in the program under this section in that school year. The department shall allocate the remaining slots to those private schools that received the most applications in the manner set forth under par. (ag) 3. b. If a pupil chosen by random drawing has a sibling that applied to the private school, the next available slot shall be filled by the sibling.

4. The department shall establish and maintain a waiting list for those applicants who were not selected in a random drawing conducted under subd. 3. b., and shall give preference to siblings.

5. a. A private school that has been authorized to accept pupils under subd. 3. a. may accept additional applications from pupils who reside in a school district, other than an eligible school district or a 1st class city school district, and who wish to attend the private school under this section, only during the periods that apply to an eligible school district. If a private school accepts additional applications from pupils as permitted under this subd. 5. a., the private school shall notify the department each time the private school receives an application.

b. If, upon receipt of a notice under subd. 5. a., the department determines that the total number of pupils who have applied to attend private schools under this paragraph will exceed the pupil participation limit under

sub. (2) (be) 2., the department shall establish and administer a waiting list in the manner provided under subd. 4.

6. A private school that has accepted a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. The department shall fill any such available slot with a pupil selected at random from a waiting list established under subd. 4., if such a waiting list exists, but shall give preference to a sibling of a pupil who resides in a school district other than an eligible school district and who is attending the private school under this section.

7. A private school that participated in the program under this section or under s. 119.23 in the 2012-13 school year may not be selected as one of the 25 schools under subd. 3. b. for the 2014-15 school year. The department shall notify a private school to which this subdivision applies that all applicants reported under subd. 2. may be accepted into the private school for the 2014-15 school year.

**SECTION 1848p.** 118.60 (3) (b) of the statutes is amended to read:

118.60 (3) (b) If ~~the a participating~~ private school rejects an applicant who resides within an eligible school district because ~~it the private school~~ has too few available spaces, the applicant may transfer his or her application to a participating private school that has space available. An applicant rejected under this paragraph may be admitted to a private school participating in the program under this section for the following school year, provided that the applicant continues to reside within an eligible school district. The department may not require, in that following school year, the private school to submit financial information regarding the applicant or to verify the eligibility of the applicant to participate in the program under this section on the basis of family income.

**SECTION 1848t.** 118.60 (3) (c) of the statutes is created to read:

118.60 (3) (c) If a participating private school rejects an applicant who resides in a school district, other than an eligible school district or a 1st class city school district, because the private school has too few available spaces, the applicant may transfer his or her application to a participating private school that has space available. An applicant rejected under this paragraph may, subject to sub. (2) (be) and (bm), be admitted to a private school participating in the program under this section for the following school year.

**SECTION 1849.** 118.60 (4) (b) of the statutes is repealed.

**SECTION 1850.** 118.60 (4) (bg) of the statutes is renumbered 118.60 (4) (bg) 1. and amended to read:

118.60 (4) (bg) 1. In the 2011-12 and 2012-13 ~~2013-14 school years year~~, upon receipt from the pupil's

parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, or \$6,442, whichever is less.

**SECTION 1851.** 118.60 (4) (bg) 2. of the statutes is created to read:

118.60 (4) (bg) 2. Except as provided in subd. 4., in the 2014-15 school year, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), the lesser of an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, or an amount either of \$7,210, if the pupil is enrolled in a grade from kindergarten to 8, or of \$7,856, if the pupil is enrolled in a grade from 9 to 12.

**SECTION 1851c.** 118.60 (4) (bg) 3. of the statutes is created to read:

118.60 (4) (bg) 3. In the 2015-16 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), the lesser of the following:

a. An amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department.

b. Except as provided in subd. 5., an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

**SECTION 1851f.** 118.60 (4) (bg) 4. of the statutes is created to read:

118.60 (4) (bg) 4. If the pupil described in subd. 2. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), the lesser of an

amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, or an amount determined as follows:

a. Multiply the number of pupils participating in the program under this section who are enrolled in the private school in any grade between kindergarten to 8 by \$7,210.

b. Multiply the number of pupils participating in the program under this section who are enrolled in the private school in any grade between 9 to 12 by \$7,856.

c. Add the amounts determined under subd. 4. a. and b.

d. Divide the amount determined under subd. 4. c. by the total number of pupils participating in the program under this section who are enrolled at the private school.

**SECTION 1851h.** 118.60 (4) (bg) 5. of the statutes is created to read:

118.60 (4) (bg) 5. If the pupil described in subd. 3. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 3. b. the amount determined under subd. 4. a. to d., with the following modifications:

a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

**SECTION 1852.** 118.60 (4) (d) (intro.) of the statutes is amended to read:

118.60 (4) (d) (intro.) In determining a private school's operating and debt service cost per pupil under par. (b) 1. and sub. (4m) (a) (bg), the department shall do all of the following, but may not determine separate costs for pupils enrolled in grades kindergarten to 8 and for pupils enrolled in grades 9 to 12:

**SECTION 1852d.** 118.60 (4) (d) 2. of the statutes is amended to read:

118.60 (4) (d) 2. If legal title to the private school's buildings and premises is held in the name of the private school's parent organization or other related party, ~~there is no other mechanism to include the private school's facilities costs in the calculation of its operating and debt service cost, and the private school requests that the department do so, include an amount equal to 10.5 percent of the fair market value of the school and its premises. If legal title to the private school's buildings and premises is held in the name of the private school's parent organization or other related party but the private school was not permitted to include an amount equal to 10.5 percent of the fair market value of the school and its premises in the 2012-13 school year, the private school may, beginning on the effective date of this subdivision .... [LRB inserts date], request the department to include that amount.~~ A request made by a private school under this subdivision remains effective in subsequent school years and may not be withdrawn by the private school.

**SECTION 1852g.** 118.60 (4) (d) 4. of the statutes is created to read:

118.60 (4) (d) 4. Permit a private school to accumulate up to 15 percent of the private school's annual operating and debt service costs related to educational programming in a reserve account and include any increase to that reserved amount in the department's determination of the private school's operating and debt service costs related to programming for that school year.

**SECTION 1852j.** 118.60 (4m) of the statutes is repealed and recreated to read:

118.60 (4m) (a) In addition to the payment under sub. (4), the state superintendent shall, subject to par. (b), pay to each private school participating in the program under this section, on behalf of the parent or guardian of each pupil attending summer school in the private school under this section during a summer and in the manner described in sub. (4) (c), an amount determined as follows:

1. Determine the maximum amount that could have been paid, at the end of the immediately preceding school term, per pupil under sub. (4) (bg) for the grade in which the pupil is attending summer school under this section.

2. Multiply the amount under subd. 1. by 0.05.

(b) A participating private school may receive a per pupil payment under par. (a) if all of the following are satisfied:

1. The private school offers no fewer than 19 summer days of instruction during that summer.

2. Each summer day of instruction offered by the private school under subd. 1. is comprised of no fewer than 270 minutes of instruction.

3. Each pupil for whom the private school seeks a payment under par. (a) attends no fewer than 15 days of summer instruction at the private school during that summer.

**SECTION 1852m.** 118.60 (4r) (intro.) of the statutes is amended to read:

118.60 (4r) (intro.) If, after the 3rd Friday in September in any school year, a private school participating in the program under this section closes, for each installment under sub. (4) (c) that was not paid to the private school in that school year, the state superintendent shall pay to the board of the school district within which the pupil resides, from the appropriation under s. 20.255 (2) (fv), the amount determined, for each pupil who had been attending the private school under this section in that school year and who enrolls in the school district operating under this chapter within which the pupil resides in that school year, as follows:

**SECTION 1853.** 118.60 (4r) (a) of the statutes is amended to read:

118.60 (4r) (a) Multiply the amount determined under sub. (4) (b) ~~or~~ (bg) by 0.616.

**SECTION 1855.** 118.60 (5) of the statutes is amended to read:

118.60 (5) The state superintendent shall ensure that pupils and parents and guardians of pupils who reside in an eligible school district this state are informed annually of the private schools participating in the program under this section and in the program under s. 119.23.

**SECTION 1855m.** 118.60 (6) of the statutes is amended to read:

118.60 (6) The school board of an eligible a school district shall provide transportation to pupils attending a private school under this section if required under s. 121.54 and may claim transportation aid under s. 121.58 for pupils so transported.

**SECTION 1855r.** 118.60 (7) (ad) of the statutes is created to read:

118.60 (7) (ad) The governing body of a private school participating in the program under this section and accredited as required under sub. (2) (a) 7. shall ensure that the private school continuously maintains accreditation from Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or by any other organization recognized by the National Council for Private Schools Accreditation as long as the private school continues to participate in the program under this section.

**SECTION 1856.** 118.60 (7) (am) 1. of the statutes is amended to read:

118.60 (7) (am) 1. An independent financial audit of the private school conducted by an independent certified public accountant, accompanied by the auditor's statement that the report is free of material misstatements and

fairly presents pupil costs under sub. (4) ~~(b)~~1 (bg). The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m). The auditor shall conduct his or her audit, including determining sample sizes and evaluating financial viability, in accordance with the auditing standards established by the American Institute of Certified Public Accountants. The department may not require an auditor to comply with standards that exceed the scope of the standards established by the American Institute of Certified Public Accountants. If a private school participating in the program under this section also accepts pupils under s. 119.23, the private school may submit one comprehensive financial audit to satisfy the requirements of this subdivision and s. 119.23 (7) (am) 1. The private school shall include in the comprehensive financial audit the information specified under s. 119.23 (7) (am) 1.

**SECTION 1856c.** 118.60 (7) (b) 3. of the statutes is amended to read:

118.60 (7) (b) 3. Ensure that any teacher's aide employed by the private school has graduated from high school, been granted a declaration of equivalency of high school graduation, or been issued a general educational development certificate of high school equivalency, or has obtained a degree or educational credential higher than a high school diploma, declaration of equivalency of high school graduation, or general educational development certificate of high school equivalency.

**SECTION 1856g.** 118.60 (7) (b) 7. a. of the statutes is amended to read:

118.60 (7) (b) 7. a. Except as provided in subd. 7. b., if the private school ceases operating as a private school, immediately transfer all of the progress records of the pupils each pupil who attended the school under this section to the school board of the eligible school district within which the pupils ~~reside~~ pupil resides. The private school shall send written notice to each pupil, or to the parent or guardian of a minor pupil, of the transfer of progress records under this subd. 7. a.

**SECTION 1856m.** 118.60 (7) (d) (intro.) of the statutes is amended to read:

118.60 (7) (d) (intro.) By September 1 before the first school term of participation in the program that begins in the ~~2011-12~~ 2013-14 school year, by August 1 before the first school term of participation in the program that begins in the ~~2012-13~~ 2014-15 school year or any school year thereafter, or by May 1 if the private school begins participating in the program during summer school, each private school participating in the program under this section shall submit to the department all of the following:

**SECTION 1856r.** 118.60 (7) (d) 1. b. of the statutes is amended to read:

118.60 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued by the municipality within

which the school is located. If the private school moves to a new location, the private school shall submit a copy of the new certificate of occupancy issued by the municipality within which the school is located to the department before the attendance of pupils at the new location and before the next succeeding date specified in s. 121.05 (1) (a). If the municipality within which the private school is located does not issue certificates of occupancy, the private school may submit a certificate of occupancy issued by the local or regional governmental unit with authority to issue certificates of occupancy or a letter or form from the municipality within which the private school is located that explains that the municipality does not issue certificates of occupancy. A temporary certificate of occupancy does not meet the requirement of this subdivision.

**SECTION 1856w.** 118.60 (7) (em) of the statutes is created to read:

118.60 (7) (em) 1. Beginning in the 2013-14 school year, the governing body of each private school participating in the program under this section shall, subject to subd. 2., annually, by January 15, provide the department with evidence demonstrating that the private school remains accredited for the current school year as required under par. (ad). The governing body shall include as evidence of accreditation a letter prepared by Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or by any other organization recognized by the National Council for Private Schools Accreditation that confirms that the private school is accredited by that entity as of the date of the letter.

2. The governing body shall immediately notify the department if its accreditation status changes.

**SECTION 1857.** 118.60 (10) (a) 3. of the statutes is amended to read:

118.60 (10) (a) 3. Failed to refund to the state any overpayment made under s. 118.60 (4) (b), 2011 stats., or s. 118.60 (4) (bg), 2011 stats., or under sub. (4) ~~(b)~~ or (4m) by the date specified by department rule.

**SECTION 1857db.** 118.60 (10) (am) 1. of the statutes is created to read:

118.60 (10) (am) 1. The private school has not complied with the requirements under sub. (7) (em).

**SECTION 1857df.** 118.60 (10) (ar) of the statutes is created to read:

118.60 (10) (ar) 1. If the state superintendent determines that a private school has failed to continuously maintain accreditation as required under sub. (7) (ad), that the governing body of the private school has withdrawn the private school from the accreditation process,

or that the private school's accreditation has been revoked or terminated by Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or by any other organization recognized by the National Council for Private Schools Accreditation, the state superintendent shall issue an order barring the private school's participation in the program under this section at the end of the current school year.

2. A private school whose participation in the program under this section is barred under subd. 1. may not participate in the program under this section or under s. 119.23 until the governing body of the private school demonstrates to the satisfaction of the department that it has obtained accreditation from Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or by any other organization recognized by the National Council for Private Schools Accreditation, provided the accreditation is from an entity other than the entity with which the private school failed to continuously maintain accreditation or, if the private school's accreditation was revoked or terminated, other than the entity that revoked or terminated the private school's accreditation.

**SECTION 1857dk.** 118.60 (10) (c) of the statutes is amended to read:

118.60 (10) (c) Whenever the state superintendent issues an order under par. (a), (am), (ar), or (b), he or she shall immediately notify the parent or guardian of each pupil attending the private school under this section.

**SECTION 1857e.** 118.60 (11) (c) of the statutes is created to read:

118.60 (11) (c) Within 10 days after receiving the information submitted as required under sub. (7) (em), notify the participating private school of receipt and approval of accreditation status.

**SECTION 1857m.** 118.60 (11) (d) of the statutes is created to read:

118.60 (11) (d) 1. Except as provided in subd. 2., when the department publicly releases data related to, but not limited to, enrollment of, standardized test results for, applications submitted by, waiting lists for, and other information related to pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

2. The department may selectively release portions of the information specified in subd. 1. only to the following:

a. A school district or individual school.

b. An entity requesting the information for a specific participating private school or the school district within which a pupil participating in the program under this section resides, provided that the entity is authorized to obtain official data releases for that school or school district.

**SECTION 1858.** 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board.

**SECTION 1858p.** 119.23 (2) (a) 1. c. of the statutes is created to read:

119.23 (2) (a) 1. c. If the private school operates a work based learning program created under s. 118.56, for purposes of this subdivision, "family income" does not include any money earned by the pupil in the work based learning program.

**SECTION 1859.** 119.23 (2) (a) 3. of the statutes is amended to read:

119.23 (2) (a) 3. ~~Except as provided in subd. 3m. b., the~~ The private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 118.60, and paid ~~a the~~ nonrefundable annual fee set by the department, by February 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section and in the program under s. 118.60 for which the school has space. The department shall by rule set the fee charged under this subdivision at an amount such that the total fee revenue covers the costs of employing one full-time auditor to evaluate the financial information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

**SECTION 1859a.** 119.23 (2) (a) 3m. of the statutes is repealed.

**SECTION 1859m.** 119.23 (2) (a) 6. a. of the statutes is amended to read:



119.23 (2) (a) 6. a. Except as provided in subd. 6. c., all of the private school's teachers have a bachelor's degree or a degree or educational credential higher than a bachelor's degree, including a masters or doctorate, from an accredited institution of higher education.

**SECTION 1859t.** 119.23 (2) (a) 7. a. of the statutes is amended to read:

119.23 (2) (a) 7. a. Subject to subd. 7. c. and d., for a private school participating in the program under this section on July 1, 2009, the private school achieves accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year that begins after June 30, 2006, in which it participates in the program under this section. If the private school is accredited as provided under this subd. 7. a., the private school is not required to obtain preaccreditation under subd. 7. b. as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

**SECTION 1860.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that is a first-time participant in the program under this section or in the program under s. 118.60 on or after July 1, 2009, and that is not accredited as provided under subd. 7. a., the private school obtains preaccreditation by the Institute for the Transformation of Learning at Marquette University, Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, or the diocese or archdiocese within which the private school is located by August 1 before the first school term of participation in the program under this section that begins after July 1, 2009; 2013; by August 1 before the first school term of participation in the program under s. 118.60 that begins in the first school year that begins after a school district is identified as an eligible school district under s. 118.60 (1m); or by May 1 if the private school begins participating in the program under this section or in the program under s. 118.60 during summer school. In any school year, a private school may apply for and seek to obtain preaccreditation from only one of the entities enumerated in this subd. 7. b. A private school that fails to obtain accreditation in a school year may apply for and seek to obtain preaccreditation from one of the entities enumerated in this subd. 7. b. in

the following school year. The private school shall achieve accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year that begins after July 1, 2009, in which it participates in the program under this section or in the program under s. 118.60. If the private school is accredited under this subd. 7. b., the private school is not required to obtain preaccreditation as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

**SECTION 1861.** 119.23 (2) (a) 7. c. of the statutes is amended to read:

119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or seeking to participate in the program under this section or in the program under s. 118.60 may not apply for accreditation by the Institute for the Transformation of Learning at Marquette University, except that a private school that has applied for accreditation to the Institute for the Transformation of Learning at Marquette University before July 1, 2009, may complete the accreditation process with the Institute for the Transformation of Learning at Marquette University, and may seek renewal of accreditation from the Institute for the Transformation of Learning at Marquette University.

**SECTION 1861m.** 119.23 (2) (a) 7. d. of the statutes is amended to read:

119.23 (2) (a) 7. d. For a private school that was approved for scholarship funding for the 2005-06 school year by Partners Advancing Values in Education and is participating in the program under this section on November 19, 2011, the private school achieves accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31, 2015. If the private school is accredited as provided under this subd. 7. d., the private school is not required to obtain preaccreditation under subd. 7. b. as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

**SECTION 1862.** 119.23 (3) (a) of the statutes is renumbered 119.23 (3) (a) (intro.) and amended to read:

119.23 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same family applies to attend the same private school, the pupils may use a single application. Within 60 days after receiving the application, the private school shall notify each applicant, in writing, whether his or her application has been accepted. If the private school rejects an application, the notice shall include the reason. A private school may reject an applicant only if it has reached its maximum general capacity or seating capacity. The state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that the private school may give preference in accepting applications to siblings of pupils accepted on a random basis, to any of the following:

**SECTION 1863.** 119.23 (3) (a) 1. to 3. of the statutes are created to read:

119.23 (3) (a) 1. Pupils who attended the private school under this section during the school year prior to the school year for which the application is being made.

2. Siblings of pupils who attended the private school during the school year prior to the school year for which the application is being made and to siblings of pupils who have been accepted to the private school for the school year for which the application is being made.

3. Pupils who attended another private school under this section or s. 118.60 during the school year prior to the school year for which the application is being made.

**SECTION 1864.** 119.23 (4) (b) of the statutes is repealed.

**SECTION 1865.** 119.23 (4) (bg) of the statutes is renumbered 119.23 (4) (bg) 1. and amended to read:

119.23 (4) (bg) 1. In the ~~2011-12 and 2012-13~~ 2013-14 school years year, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, or \$6,442, whichever is less.

**SECTION 1866.** 119.23 (4) (bg) 2. of the statutes is created to read:

119.23 (4) (bg) 2. Except as provided in subd. 4., in the 2014-15 school year, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), the lesser of an amount equal to the private school's operating and debt service cost per pupil that is related to educational

programming, as determined by the department, or an amount either of \$7,210, if the pupil is enrolled in a grade from kindergarten to 8, or of \$7,856, if the pupil is enrolled in a grade from 9 to 12.

**SECTION 1866e.** 119.23 (4) (bg) 3. of the statutes is created to read:

119.23 (4) (bg) 3. In the 2015-16 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), the lesser of the following:

a. An amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department.

b. Except as provided in subd. 5., an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

**SECTION 1866g.** 119.23 (4) (bg) 4. of the statutes is created to read:

119.23 (4) (bg) 4. If the pupil described in subd. 2. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), the lesser of an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, or an amount determined as follows:

a. Multiply the number of pupils participating in the program under this section who are enrolled in the private school in any grade between kindergarten to 8 by \$7,210.

b. Multiply the number of pupils participating in the program under this section who are enrolled in the private school in any grade between 9 to 12 by \$7,856.

c. Add the amounts determined under subd. 4. a. and b.

d. Divide the amount determined under subd. 4. c. by the total number of pupils participating in the program under this section who are enrolled at the private school.

**SECTION 1866r.** 119.23 (4) (bg) 5. of the statutes is created to read:

119.23 (4) (bg) 5. If the pupil described in subd. 3. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also

in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 3. b. the amount determined under subd. 4. a. to d., with the following modifications:

a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

**SECTION 1867.** 119.23 (4) (d) (intro.) of the statutes is amended to read:

119.23 (4) (d) (intro.) In determining a private school's operating and debt service cost per pupil under par. (b) 1. and sub. (4m) (a) (bg), the department shall do all of the following, but may not determine separate costs for pupils enrolled in grades kindergarten to 8 and for pupils enrolled in grades 9 to 12:

**SECTION 1867m.** 119.23 (4) (d) 2. of the statutes is amended to read:

119.23 (4) (d) 2. If legal title to the private school's buildings and premises is held in the name of the private school's parent organization or other related party, ~~there is no other mechanism to include the private school's facilities costs in the calculation of its operating and debt service cost, and the private school requests that the department do so, include an amount equal to 10.5 percent of the fair market value of the school and its premises. If legal title to the private school's buildings and premises is held in the name of the private school's parent organization or other related party but the private school was not permitted to include an amount equal to 10.5 percent of the fair market value of the school and its premises in the 2012-13 school year, the private school may, beginning on the effective date of this subdivision ....~~ [LRB inserts date], request the department to include that amount. A request made by a private school under this subdivision remains effective in subsequent school years and may not be withdrawn by the private school.

**SECTION 1867p.** 119.23 (4) (d) 4. of the statutes is created to read:

119.23 (4) (d) 4. Permit a private school to accumulate up to 15 percent of the private school's annual operating and debt service costs related to educational programming in a reserve account and include any increase to that reserved amount in the department's determination of the private school's operating and debt service costs related to programming for that school year.

**SECTION 1867r.** 119.23 (4m) of the statutes is repealed and recreated to read:

119.23 (4m) (a) In addition to the payment under sub. (4), the state superintendent shall, subject to par. (b), pay to each private school participating in the program under this section, on behalf of the parent or guardian of each pupil attending summer school in the private school under this section during a summer and in the manner described in sub. (4) (c), an amount determined as follows:

1. Determine the maximum amount that could have been paid, at the end of the immediately preceding school term, per pupil under sub. (4) (bg) for the grade in which the pupil is attending summer school under this section.

2. Multiply the amount under subd. 1. by 0.05.

(b) A participating private school may receive a per pupil payment under par. (a) if all of the following are satisfied:

1. The private school offers no fewer than 19 summer days of instruction during that summer.

2. Each summer day of instruction offered by the private school under subd. 1. is comprised of no fewer than 270 minutes of instruction.

3. Each pupil for whom the private school seeks a payment under par. (a) attends no fewer than 15 days of summer instruction at the private school during that summer.

**SECTION 1868.** 119.23 (4r) (a) 1. of the statutes is repealed.

**SECTION 1869.** 119.23 (4r) (a) 2. of the statutes is renumbered 119.23 (4r) (a) and amended to read:

119.23 (4r) (a) ~~In the 2010-11 school year and in any school year thereafter, multiply~~ Multiply the amount determined under sub. (4) (b) ~~or~~ (bg) by 0.616.

**SECTION 1871.** 119.23 (5) of the statutes is amended to read:

119.23 (5) The state superintendent shall ensure that pupils and parents and guardians of pupils who reside in the city are informed annually of the private schools participating in the program under this section and in the program under s. 118.60.

**SECTION 1872m.** 119.23 (7) (ad) of the statutes is created to read:

119.23 (7) (ad) The governing body of a private school participating in the program under this section and accredited as required under sub. (2) (a) 7. shall ensure

that the private school continuously maintains accreditation from Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, by any other organization recognized by the National Council for Private Schools Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute for the Transformation of Learning at Marquette University, as long as the private school continues to participate in the program under this section.

**SECTION 1873.** 119.23 (7) (am) 1. of the statutes is amended to read:

119.23 (7) (am) 1. An independent financial audit of the private school conducted by an independent certified public accountant, accompanied by the auditor's statement that the report is free of material misstatements and fairly presents pupil costs under sub. (4) (b)-1 (bg). The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m). The auditor shall conduct his or her audit, including determining sample sizes and evaluating financial viability, in accordance with the auditing standards established by the American Institute of Certified Public Accountants. The department may not require an auditor to comply with standards that exceed the scope of the standards established by the American Institute of Certified Public Accountants. If a private school participating in the program under this section also accepts pupils under s. 118.60, the private school may submit one comprehensive financial audit to satisfy the requirements of this subdivision and s. 118.60 (7) (am) 1. The private school shall include in the comprehensive financial audit the information specified under s. 118.60 (7) (am) 1.

**SECTION 1873m.** 119.23 (7) (b) 3. of the statutes is amended to read:

119.23 (7) (b) 3. Ensure that any teacher's aide employed by the private school has graduated from high school, been granted a declaration of equivalency of high school graduation, or been issued a general educational development certificate of high school equivalency, or has obtained a degree or educational credential higher than a high school diploma, declaration of equivalency of high school graduation, or general educational development certificate of high school equivalency.

**SECTION 1873p.** 119.23 (7) (d) 1. b. of the statutes is amended to read:

119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued by the municipality within which the school is located. If the private school moves to a new location, the private school shall submit a copy of the new certificate of occupancy issued by the municipality

within which the school is located to the department before the attendance of pupils at the new location and before the next succeeding date specified in s. 121.05 (1) (a). If the municipality within which the private school is located does not issue certificates of occupancy, the private school may submit a certificate of occupancy issued by the local or regional governmental unit with authority to issue certificates of occupancy or a letter or form from the municipality within which the private school is located that explains that the municipality does not issue certificates of occupancy. A temporary certificate of occupancy does not meet the requirement of this subdivision.

**SECTION 1874.** 119.23 (7) (e) of the statutes, as affected by 2013 Wisconsin Act 8, is amended to read:

119.23 (7) (e) ~~In the 2009-10 school year, each private school participating in the program under this section shall administer a nationally normed standardized test in reading, mathematics, and science to pupils attending the school under the program in the 4th, 8th, and 10th grades. Beginning in the 2010-11 school year and annually thereafter, each~~ Each private school participating in the program under this section shall administer the examinations required under s. 118.30 (1s) to pupils attending the school under the program. The private school may administer additional standardized tests to such pupils.

**SECTION 1875d.** 119.23 (7) (em) of the statutes is created to read:

119.23 (7) (em) 1. Beginning in the 2013-14 school year, the governing body of each private school participating in the program under this section shall, subject to subd. 2., annually, by January 15, provide the department with evidence demonstrating that the private school remains accredited for the current school year as required under par. (ad). The governing body shall include as evidence of accreditation a letter prepared by Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, by any other organization recognized by the National Council for Private Schools Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute for the Transformation of Learning at Marquette University, which confirms that the private school is accredited by that entity as of the date of the letter.

2. The governing body shall immediately notify the department if its accreditation status changes.

**SECTION 1875t.** 119.23 (10) (a) 2. of the statutes is amended to read:

119.23 (10) (a) 2. Failed to provide the notice or pay the fee required under sub. (2) (a) 3. ~~or 3m, b.,~~ or provide

the information required under sub. (7) (am) or (d), by the date or within the period specified.

**SECTION 1876.** 119.23 (10) (a) 3. of the statutes is amended to read:

119.23 (10) (a) 3. Failed to refund to the state any overpayment made under s. 119.23 (4) (b), 2011 stats., or s. 119.23 (4) (bg), 2011 stats., or under sub. (4) (b) or (bg) or (4m) by the date specified by department rule.

**SECTION 1876db.** 119.23 (10) (am) 1. of the statutes is amended to read:

119.23 (10) (am) 1. The private school has not complied with the requirement requirements under sub. (7) (f) or (em).

**SECTION 1876dg.** 119.23 (10) (ar) of the statutes is created to read:

119.23 (10) (ar) 1. If the state superintendent determines that a private school has failed to continuously maintain accreditation as required under sub. (7) (ad), that the governing body of the private school has withdrawn the private school from the accreditation process, or that the private school's accreditation has been revoked or terminated by Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, by any other organization recognized by the National Council for Private Schools Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute for the Transformation of Learning at Marquette University, the state superintendent shall issue an order barring the private school's participation in the program under this section at the end of the current school year.

2. A private school whose participation in the program under this section is barred under subd. 1. may not participate in the program under this section or under s. 118.60 until the governing body of the private school demonstrates to the satisfaction of the department that it has obtained accreditation from Wisconsin North Central Association, Wisconsin Religious and Independent School Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese within which the private school is located, or by any other organization recognized by the National Council for Private Schools Accreditation, provided the accreditation is from an entity other than the entity with which the private school failed to continuously maintain accreditation or, if the private school's accreditation was revoked or terminated, other than the entity that revoked or terminated the private school's accreditation.

**SECTION 1876dj.** 119.23 (10) (c) of the statutes is amended to read:

119.23 (10) (c) Whenever the state superintendent issues an order under par. (a), (am), (ar), or (b), he or she shall immediately notify the parent or guardian of each pupil attending the private school under this section.

**SECTION 1876dL.** 119.23 (11) (c) of the statutes is created to read:

119.23 (11) (c) Within 10 days after receiving the information submitted as required under sub. (7) (em), notify the participating private school of receipt and approval of accreditation status.

**SECTION 1876dp.** 119.23 (11) (d) of the statutes is created to read:

119.23 (11) (d) 1. Except as provided in subd. 2., when the department publicly releases data related to, but not limited to, enrollment of, standardized test results for, applications submitted by, waiting lists for, and other information related to pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

2. The department may selectively release portions of the information specified in subd. 1. only to the following:

- a. The school district or an individual school.
- b. An entity requesting the information for a specific participating private school or the school district, provided that the entity is authorized to obtain official data releases for that school or the school district.

**SECTION 1878.** 121.004 (7) (em) of the statutes is created to read:

121.004 (7) (em) A pupil attending public school outside his or her school district of residence under s. 118.53 shall be counted as 0.25 pupil for each course the pupil attends at the public school during the school year. A pupil attending public school in his or her school district of residence under s. 118.53 shall be counted as the result obtained by dividing the number of hours of direct pupil instruction scheduled for the pupil at the public school during the school year by the number of hours of direct pupil instruction that the school district scheduled for a pupil in the same grade during the school year.

**SECTION 1879.** 121.02 (1) (a) 2. of the statutes is amended to read:

121.02 (1) (a) 2. Subject to s. 118.40 (8) (b) 2. and 3., ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. For purposes of this subdivision, a virtual charter school is located in the school district specified in s. 118.40 (8) (a) and a charter school established under s. 118.40 (3) (c) 1. c. is located in the school district specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules defining "instructional staff" for purposes of this subdivision.

**SECTION 1881.** 121.05 (1) (a) 12m. of the statutes is created to read:

121.05 (1) (a) 12m. Pupils attending a public school under s. 118.53.

**SECTION 1882.** 121.05 (3m) of the statutes is created to read:

121.05 (3m) If pupils enrolled in a school will not be in attendance at the school on any of the dates specified in sub. (1) (a) or (2) because of a regularly scheduled holiday or for a reason approved by the school board, the state superintendent shall permit the membership counting date to occur on the 3rd weekday that follows the next school day on which school is in session.

**SECTION 1883.** 121.07 (6) (e) 1. of the statutes is amended to read:

121.07 (6) (e) 1. For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 4 school years, the amounts under pars. (b) and (d) shall be multiplied by 1.15 and rounded to the next lowest dollar. In the 5th school year following the school year in which the consolidation took effect, the amounts under pars. (b) and (d) shall be multiplied by 1.10 and rounded to the next lower dollar. In the 6th school year following the school year in which the consolidation took effect, the amounts under pars. (b) and (d) shall be multiplied by 1.05 and rounded to the next lower dollar.

**SECTION 1884.** 121.07 (7) (e) 1. of the statutes is amended to read:

121.07 (7) (e) 1. For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 4 school years, the amounts under pars. (a) to (bm) shall be multiplied by 1.15 and rounded to the next lower dollar. In the 5th school year following the school year in which the consolidation took effect, the amounts under pars. (a) to (bm) shall be multiplied by 1.10 and rounded to the next lower dollar. In the 6th school year following the school year in which the consolidation took effect, the amounts under pars. (a) to (bm) shall be multiplied by 1.05 and rounded to the next lower dollar.

**SECTION 1884p.** 121.08 (4) (a) 2. of the statutes is amended to read:

121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid that all school districts are eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under par. (b) ~~or (br)~~ had not occurred.

**SECTION 1884r.** 121.08 (4) (a) 3. of the statutes is amended to read:

121.08 (4) (a) 3. Multiply the amount of state aid that the school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under par. (b) ~~or (br)~~ had not occurred, by the quotient under subd. 2.

**SECTION 1885g.** 121.08 (4) (b) 1. of the statutes is amended to read:

121.08 (4) (b) 1. Multiply the amounts paid under s. 119.23 (4) and (4m) in the 2009–10 school year by 41.6 percent, and multiply the amounts paid under s. 119.23 (4) and (4m) in the 2010–11 to 2012–13 school year and in each school year thereafter years by 38.4 percent. Beginning in the 2013–14 school year, multiply the amounts paid under s. 119.23 (4) and (4m) in the current school year by a percentage determined by subtracting 3.2 percentage points from the percentage that was applied under this subdivision in the previous school year. This subdivision does not apply after the 2024–25 school year.

**SECTION 1886g.** 121.08 (4) (br) of the statutes is repealed.

**SECTION 1887g.** 121.08 (4) (d) of the statutes is amended to read:

121.08 (4) (d) The state superintendent shall ensure that the total amount of aid reduction under pars. (a), and (b), ~~and (br)~~ lapses to the general fund.

**SECTION 1888.** 121.105 (3) of the statutes is amended to read:

121.105 (3) In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the consolidated school district's state aid shall be an amount that is not less than the aggregate state aid to which the consolidating school districts were eligible in the school year prior to the school year in which the consolidation takes effect. In the 5th school year following the school year in which the consolidation took effect, the consolidated school district is entitled to a payment under this subsection in an amount that is equal to 66 percent of the payment that the consolidated school district received under this subsection in the prior school year. In the 6th school year following the school year in which the consolidation took effect, the consolidated school district is entitled to a payment under this subsection in an amount that is equal to 33 percent of the payment that the consolidated school district received in the 4th school year following the school year in which the consolidation took effect. The additional state aid shall be paid from the appropriation under s. 20.255 (2) (ac).

**SECTION 1889.** 121.54 (2) (c) of the statutes is amended to read:

121.54 (2) (c) An annual or special meeting of a common or union high school district, or the school board of a unified school district, may elect to provide transportation for pupils who are not required to be transported under this section, including pupils attending public school under s. 118.145 (4) or 118.53. Transportation may be provided for all or some of the pupils who reside in the school district to and from the public school they are entitled to attend or the private school, within or outside the school district, within whose attendance area

they reside. If transportation is provided for less than all such pupils there shall be reasonable uniformity in the minimum distance that pupils attending public and private schools will be transported. Except for elementary school districts electing to furnish transportation under par. (b) 2., this paragraph does not permit a school district operating only elementary grades to provide transportation for pupils attending private schools.

**SECTION 1891.** 121.58 (2) (a) 4. of the statutes is amended to read:

121.58 (2) (a) 4. For each pupil so transported whose residence is more than 12 miles from the school attended, ~~\$180 per school year in the 2006-07 school year and \$220 per school year in the 2012-13 school year and \$275 per school year thereafter.~~

**SECTION 1891m.** 121.59 of the statutes is created to read:

**121.59 High cost transportation aid.** (1) In this section, "transportation costs" means costs that are eligible for reimbursement under s. 121.58.

(2) Annually the department shall pay to each school district the amount determined as follows:

(a) Divide the statewide school district transportation costs in the previous school year by the statewide membership in the previous school year and multiply the quotient by 1.5.

(b) Divide the school district's transportation costs in the previous school year by the school district's membership in the previous school year.

(c) Subtract the product under par. (a) from the quotient under par. (b).

(d) If the remainder under par. (c) is a positive number, multiply it by the school district's membership.

(e) Divide the product under par. (d) for the school district by the product under par. (d) for all school districts.

(f) Multiply the quotient under par. (e) by the amount appropriated under s. 20.255 (2) (cq).

(3) Aid under this section shall be paid from the appropriation under s. 20.255 (2) (cq).

**SECTION 1892.** 121.83 (1) (a) 2. of the statutes is amended to read:

121.83 (1) (a) 2. If the agency of service counts the pupil under s. 121.05 (1) (a) or (2), or on an alternate counting date under s. 121.05 (3) or (3m), state general aid shall be subtracted.

**SECTION 1893.** 121.90 (1) (intro.) of the statutes is amended to read:

121.90 (1) (intro.) "Number of pupils enrolled" means the number of pupils enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1) (a) 1. to 11. and 13. and pupils enrolled and counted on an alternate counting date under s. 121.05 (3) or (3m), and the number of pupils attending the Challenge Academy program under s. 321.03 (1) (c) in the previous spring session, except that "number of pupils enrolled" excludes

the number of pupils attending public school under ~~s. ss.~~ 118.145 (4) and 118.53 and except as follows:

**SECTION 1893sb.** 121.905 (3) (c) 5. of the statutes is amended to read:

121.905 (3) (c) 5. For the limit for the 2013-14 school year and any the 2014-15 school year thereafter, ~~make no adjustment,~~ add \$75 to the result under par. (b).

**SECTION 1893sd.** 121.905 (3) (c) 6. of the statutes is created to read:

121.905 (3) (c) 6. For the limit for the 2015-16 school year or any school year thereafter, make no adjustment to the result under par. (b).

**SECTION 1893sf.** 121.91 (2m) (hm) of the statutes is created to read:

121.91 (2m) (hm) Except as provided in subs. (3), (4), and (8), no school district may increase its revenues for the 2013-14 school year or for the 2014-15 school year to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

2. Add \$75 to the result under subd. 1.

3. Multiply the result under subd. 2. by the average of the number of pupils enrolled in the current school year and the 2 preceding school years.

**SECTION 1893sh.** 121.91 (2m) (i) (intro.) of the statutes is amended to read:

121.91 (2m) (i) (intro.) Except as provided in subs. (3), (4), and (8), no school district may increase its revenues for the ~~2013-14~~ 2015-16 school year or for any school year thereafter to an amount that exceeds the amount calculated as follows:

**SECTION 1893sj.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c) to ~~(h)~~ (i), if a school district is created under s. 117.105, its revenue limit under this section for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided under subs. (3) and (4):

**SECTION 1893sL.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

121.91 (2m) (r) 1. b. Add an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a., except that ~~in calculating the limit for the 2011-12 school year, multiply the result under subd. 1. a. by 0.945,~~ in calculating the limit for the ~~2012-13~~ 2013-14 school year and the 2014-15 school year, add ~~\$50~~ \$75 to the result under subd. 1. a., and in calculating the limit for the



2013-14 2015-16 school year and any school year thereafter, make no adjustment to the result under subd. 1. a.

**SECTION 1893sn.** 121.91 (2m) (s) 1. (intro.) of the statutes is amended to read:

121.91 (2m) (s) 1. (intro.) Notwithstanding pars. (e) to (h) (i), if territory is detached from a school district to create a new school district under s. 117.105, the revenue limit under this section of the school district from which territory is detached for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided in subs. (3) and (4):

**SECTION 1893sp.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

121.91 (2m) (s) 1. b. Add an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a., except that in calculating the limit for the 2011-12 school year, multiply the result under subd. 1. a. by 0.945, in calculating the limit for the 2012-13 2013-14 school year and the 2014-15 school year, add \$50 \$75 to the result under subd. 1. a., and in calculating the limit for the 2013-14 2015-16 school year and any school year thereafter, make no adjustment to the result under subd. 1. a.

**SECTION 1893st.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

121.91 (2m) (t) 1. (intro.) If 2 or more school districts are consolidated under s. 117.08 or 117.09, except as follows, in the 2011-12 school year, the consolidated school district's revenue limit shall be determined as provided under par. (g), in the 2012-13 2013-14 school year and the 2014-15 school year, the consolidated school district's revenue limit shall be determined as provided under par. (h) (hm), and in the 2013-14 2015-16 school year and in each school year thereafter, the consolidated school district's revenue limit shall be determined as provided under par. (i):

**SECTION 1893t.** 121.91 (4) (o) 1. of the statutes is amended to read:

121.91 (4) (o) 1. If Except as provided in subd. 1m., if a school board adopts a resolution to do so, the limit otherwise applicable to a school district under sub. (2m) in any school year is increased by the amount spent by the school district in that school year on a project to implement energy efficiency measures or to purchase energy efficiency products, including the payment of debt service on bonds a bond or notes note issued, or a state trust fund loan obtained, to finance the project, if the project results in the avoidance of, or reduction in, energy costs or operational costs, the project is governed by a performance contract entered into under s. 66.0133, and the bonds bond or notes note issued or state trust fund loan obtained to finance the project, if any, are is issued for periods a term not exceeding 20 years. If a school board issues bonds or notes a bond or note or obtains a state trust

fund loan to finance a project described in this subdivision, a resolution adopted by a school board under this subdivision is valid for each school year in which the school board pays debt service on the ~~bonds or notes~~ bond, note, or state trust fund loan.

**SECTION 1893u.** 121.91 (4) (o) 1m. of the statutes is created to read:

121.91 (4) (o) 1m. If a school district issues a bond or note or obtains a state trust fund loan to finance a project described in subd. 1., the amount of debt service included in the amount spent by the school district under subd. 1. is the amount paid in the calendar year that begins on January 1 of the school year in which the school district's revenue limit is increased under this paragraph.

**SECTION 1893v.** 121.91 (4) (o) 3. of the statutes is created to read:

121.91 (4) (o) 3. If a school district issues a bond or note or obtains a state trust fund loan to finance a project described in subd. 1. and the school district's utility costs are measurably reduced as a result of the project, the school board shall use the savings to retire the bond, note, or state trust fund loan.

**SECTION 1893w.** 121.91 (4) (p) of the statutes is renumbered 121.91 (4) (p) 1.

**SECTION 1893x.** 121.91 (4) (p) 2. of the statutes is created to read:

121.91 (4) (p) 2. Any additional revenue received by a school district under this paragraph shall not be included in the base for determining the school district's limit under sub. (2m) for the following school year.

**SECTION 1893y.** 121.91 (7) of the statutes is amended to read:

121.91 (7) Except as provided in sub. (4) (f) 2., (o), ~~and to (q),~~ and (8), if an excess revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4), the excess revenue shall be included in the base for determining the limit for the next school year for purposes of this section. If an excess revenue is approved under sub. (3) for a nonrecurring purpose, the excess revenue shall not be included in the base for determining the limit for the next school year for purposes of this section.

**SECTION 1893z.** 121.92 (2) (c) of the statutes is amended to read:

121.92 (2) (c) If the amount of the deductions under pars. (a) and (b) is insufficient to cover the excess revenue, order the school board to reduce the property tax obligations of its taxpayers by an amount that represents the remainder of the excess revenue. The school district's refunds to taxpayers who have already paid their taxes shall be increased by interest at the rate of 0.5% per month. If the school board violates the order, any resident of the school district may seek injunctive relief. This paragraph does not apply to property taxes levied for the purpose of paying the principal and interest on a valid bonds bond or notes note issued or state trust fund loan obtained by the school board.

**SECTION 1894.** 125.06 (11) of the statutes is amended to read:

125.06 (11) AUCTION SALES. The sale by an auction house at public auction of a collection of sealed bottles of intoxicating liquor or unopened beer cans for the purpose of settling an estate or disposing of the collection or the auction sale of sealed bottles or containers of wine or of unopened bottles of intoxicating liquor or fermented malt beverages by a charitable organization, as defined in s. 440.41 ~~202.11~~ (1), at an auction held to raise money for the charitable organization.

**SECTION 1894p.** 126.44 (8) (c) 1. and 2. of the statutes are amended to read:

126.44 (8) (c) 1. The milk contractor's current ratio, excluding any ~~assets~~ items required to be excluded under sub. (9).

2. The milk contractor's debt to equity ratio, excluding any ~~assets~~ items required to be excluded under sub. (9).

**SECTION 1894q.** 126.44 (9) (intro.) of the statutes is amended to read:

126.44 (9) ASSETS ITEMS EXCLUDED. (intro.) A milk contractor may not include any of the following ~~assets~~ items in the calculations under sub. (8) (c), unless the department specifically approves their inclusion:

**SECTION 1894r.** 126.44 (9) (d) of the statutes is created to read:

126.44 (9) (d) A liability and the corresponding impact to equity resulting from the recording of a loss as a component of other comprehensive income due to the recognition of the funding status of a defined benefit pension plan.

**SECTION 1894s.** 126.44 (9) (e) of the statutes is created to read:

126.44 (9) (e) An asset and the corresponding liability that represent an amount that is collectible from and owed to the milk contractor itself, as proven by the milk contractor.

**SECTION 1895.** 134.73 (1) (a) of the statutes is amended to read:

134.73 (1) (a) "Contribution" has the meaning given in s. ~~440.41~~ 202.11 (5).

**SECTION 1896.** 134.73 (1) (c) of the statutes is amended to read:

134.73 (1) (c) "Solicit" has the meaning given in s. ~~440.41~~ 202.11 (8).

**SECTION 1896m.** 137.01 (9) (a) of the statutes is amended to read:

137.01 (9) (a) For drawing and copy of protest of the nonpayment of a promissory note or bill of exchange, or of the nonacceptance of such bill, ~~\$1~~ not more than \$5 in the cases where by law such protest is necessary, but in no other case.

**SECTION 1896n.** 137.01 (9) (b) of the statutes is amended to read:

137.01 (9) (b) For drawing and copy of every other protest, ~~50 cents~~ not more than \$5.

**SECTION 1896o.** 137.01 (9) (c) of the statutes is amended to read:

137.01 (9) (c) For drawing, copying and serving every notice of nonpayment of a note or bill, or nonacceptance of a bill, ~~50 cents~~ not more than \$5.

**SECTION 1896p.** 137.01 (9) (d) of the statutes is amended to read:

137.01 (9) (d) For drawing any affidavit, or other paper or proceeding for which provision is not herein made, ~~50 cents~~ not more than \$5 for each folio, and for copying the same 12 cents per folio.

**SECTION 1896q.** 137.01 (9) (e) of the statutes is amended to read:

137.01 (9) (e) For taking the acknowledgment of deeds, and for other services authorized by law, the same fees as are allowed to other officers for similar services, but the fee per document shall not exceed ~~50 cents~~ \$5.

**SECTION 1896s.** 138.052 (13) of the statutes is created to read:

138.052 (13) (a) In this subsection:

1. "Financial institution" means a bank, credit union, savings bank, savings and loan association, mortgage banker, or any other lender that receives an application for, services, or enforces the terms of a loan.

2. "Local governmental unit" means a city, village, town, or county, or any other local governmental unit, as defined in s. 66.0131 (1) (a), but does not include a 1st class city.

(b) A local governmental unit may not enact an ordinance or adopt a resolution that does any of the following:

1. Imposes any fee or tax on any financial institution in connection with servicing, or enforcing the terms of, a loan.

2. Delays any financial institution in enforcing the terms of a loan.

3. Affects any financial institution's servicing, or enforcement of the terms of, a loan.

4. Regulates any financial institution with respect to the lending practices or financial services of the financial institution as it relates to loans.

(c) If a local governmental unit has in effect on the effective date of this paragraph .... [LRB inserts date], an ordinance or resolution that is inconsistent with par. (b), the ordinance or resolution does not apply and may not be enforced.

(d) Except in a 1st class city, the servicing of loans and enforcement of loan terms are matters of statewide concern for which uniformity in regulation is necessary and are subject only to applicable state and federal laws and not to local regulation.

**SECTION 1896w.** 139.25 (1) of the statutes is amended to read:

139.25 (1) INTEREST AND PENALTIES. Unpaid taxes bear interest at the rate of 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes bear interest at the rate of ~~9%~~ 3 percent per year from the due date of the return to the date on which the refund is certified on the refund rolls.

**SECTION 1897.** 139.30 (7) of the statutes is amended to read:

139.30 (7) "Manufacturer" means any person who manufactures cigarettes for the purpose of sale, including the authorized agent of a person who manufactures cigarettes for the purpose of sale. "Manufacturer" includes a person who owns an automated roll-your-own machine that is used to make cigarettes, but does not include an individual who owns a roll-your-own machine and uses the machine in his or her home solely to make cigarettes for his or her personal use or for the use of other individuals who live in his or her home.

**SECTION 1897h.** 139.44 (9) of the statutes is amended to read:

139.44 (9) Unpaid taxes bear interest at the rate of 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes bear interest at the rate of ~~9%~~ 3 percent per year from the due date of the return to the date on which the refund is certified on the refund rolls.

**SECTION 1897j.** 139.94 of the statutes is amended to read:

**139.94 Refunds.** If the department is determined to have collected more taxes than are owed, the department shall refund the excess and interest at the rate of ~~0.75%~~ 0.25 percent per month or part of a month when that determination is final. If the department has sold property to obtain taxes, penalties and interest assessed under this subchapter and those taxes, penalties and interest are found not to be due, the department shall give the former owner the proceeds of the sale when that determination is final.

**SECTION 1898.** 146.45 of the statutes is repealed.

**SECTION 1899.** 146.63 of the statutes is created to read:

**146.63 Grants to establish graduate medical training programs.** (1) DEFINITION. In this section, "rural hospital" means a hospital, as defined under s. 50.33 (2), that is not located in a 1st class city.

(2) DEPARTMENTAL DUTIES. (a) Subject to subs. (4) and (5), the department shall distribute grants from the appropriation under s. 20.435 (1) (fj) to assist rural hospitals and groups of rural hospitals in procuring infrastructure and increasing case volume to the extent necessary to develop accredited graduate medical training programs. The department shall distribute the grants under this paragraph to rural hospitals and groups of rural hospitals that apply to receive a grant under sub. (3) and that satisfy the criteria established by the department under par. (b) and the eligibility requirement under sub. (6).

(b) The department shall establish criteria for approving and distributing grants under par. (a) and criteria for approving plans under sub. (3).

(3) GRANT APPLICATION. A rural hospital or group of rural hospitals may apply, in the form and manner determined by the department, to receive a grant under sub. (2) (a). The rural hospital or group of rural hospitals shall include in the application a plan to use the funds to procure infrastructure or increase case volume to the extent necessary to develop an accredited graduate medical training program at the rural hospital or group of rural hospitals and a plan to satisfy the matching requirement under sub. (4).

(4) MATCHING FUNDS. The department may not distribute a grant under sub. (2) (a) unless the rural hospital or group of rural hospitals offers to provide matching funds in an amount determined by the department.

(5) TERM OF GRANTS. The department may not distribute a grant under sub. (2) (a) to a rural hospital or group of rural hospitals for a term that is more than 3 years.

(6) ELIGIBILITY. A rural hospital or group of rural hospitals may only receive a grant under sub. (3) if the plan to use the funds involves developing an accredited graduate medical training program in any of the following specialties:

- (a) Family medicine.
- (b) Pediatrics.
- (c) Psychiatry.
- (d) General surgery.
- (e) Internal medicine.

**SECTION 1900.** 146.64 of the statutes is created to read:

**146.64 Grants to support graduate medical training programs.** (1) DEFINITION. In this section, "hospital" has the meaning given under s. 50.33 (2).

(2) DEPARTMENTAL DUTIES. (a) Subject to par. (c) and sub. (4), the department shall distribute grants to hospitals to fund the addition of positions to existing accredited graduate medical training programs. The department shall distribute the grants under this paragraph to hospitals that apply to receive a grant under sub. (3) and that satisfy the criteria established by the department under par. (b) and the eligibility requirement under sub. (4).

(b) The department shall establish criteria for approving and distributing grants under par. (a).

(c) 1. The department shall distribute funds for grants under par. (a) from the appropriation under s. 20.435 (4) (b). The department may not distribute more than \$225,000 from the appropriation under s. 20.435 (4) (b) to a particular hospital in a given state fiscal year and may not distribute more than \$75,000 from the appropriation under s. 20.435 (4) (b) to fund a given position in a graduate medical training program in a given state fiscal year.

2. If the department receives matching federal medical assistance funds, the department shall distribute those funds for grants under par. (a) in addition to any funds distributed under subd. 1.

(d) The department shall seek federal medical assistance funds to match the grants distributed under par. (a). If the department receives those funds, the department shall distribute them as provided in par. (c) 2.

(3) GRANT APPLICATION. A hospital may apply, in the form and manner determined by the department, to receive a grant under sub. (2) (a).

(4) ELIGIBILITY. A hospital that has an accredited graduate medical training program in any of the following specialties may apply to receive a grant under sub. (3):

- (a) Family medicine.
- (b) Pediatrics.
- (c) Psychiatry.
- (d) General surgery.
- (e) Internal medicine.

**SECTION 1900e.** 146.82 (2) (a) 11. of the statutes is amended to read:

146.82 (2) (a) 11. To ~~a county department~~ an agency, as defined under ~~s. 48.02 (2g)~~ in s. 48.981 (1) (ag), a sheriff or police department, or a district attorney for purposes of investigation of threatened or suspected child abuse or neglect or suspected unborn child abuse or for purposes of prosecution of alleged child abuse or neglect, if the person conducting the investigation or prosecution identifies the subject of the record by name. The health care provider may release information by initiating contact with ~~a county department~~ an agency, sheriff or police department, or district attorney without receiving a request for release of the information. A person to whom a report or record is disclosed under this subdivision may not further disclose ~~it~~ the report or record, except to the persons, for the purposes, and under the conditions specified in s. 48.981 (7).

**SECTION 1900f.** 146.82 (2) (a) 11m. of the statutes is created to read:

146.82 (2) (a) 11m. To a court conducting a termination of parental rights proceeding under s. 48.42, to an agency, district attorney, corporation counsel or other appropriate official under s. 48.09 performing official duties relating to such a proceeding, or to the attorney or guardian ad litem for any party to such a proceeding for purposes of conducting, preparing for, or performing official duties relating to the proceeding, if that person identifies the subject of the record by name. A person to whom a report or record is disclosed under this subdivision may not further disclose the report or record, except for the purposes specified in this subdivision.

**SECTION 1900h.** 146.82 (2) (a) 18m. of the statutes is amended to read:

146.82 (2) (a) 18m. If the subject of the patient health care records is a child or juvenile who has been placed in a foster home, group home, residential care center for children and youth, or juvenile correctional facility, including a placement under s. 48.205, 48.21, 938.205, or 938.21, or for whom placement in a foster home, group home, residential care center for children and youth, or juvenile correctional facility is recommended under s. 48.33 (4), 48.425 (1) (g), 48.837 (4) (c), or 938.33 (3) or (4), to an agency directed by a court to prepare a court report under s. 48.33 (1), 48.424 (4) (b), 48.425 (3), 48.831 (2), 48.837 (4) (c), or 938.33 (1), to an agency responsible for preparing a court report under s. 48.365 (2g), 48.425 (1), 48.831 (2), 48.837 (4) (c), or 938.365 (2g), to an agency responsible for preparing a permanency plan under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5) (c), 48.63 (4) or (5) (c), 48.831 (4) (e), 938.355 (2e), or 938.38 regarding the child or juvenile, to the foster parent of the child or juvenile or the operator of the group home, residential care center for children and youth, or juvenile correctional facility in which the child or juvenile is placed, or to an agency that placed the child or juvenile or arranged for the placement of the child or juvenile in any of those placements and, by any of those agencies, to any other of those agencies and, by the agency that placed the child or juvenile or arranged for the placement of the child or juvenile in any of those placements, to the foster parent of the child or juvenile or the operator of the group home, residential care center for children and youth, or juvenile correctional facility in which the child or juvenile is placed, as provided in s. 48.371 or 938.371.

**SECTION 1900n.** Chapter 149 of the statutes is repealed.

**SECTION 1901.** 153.05 (2r) (intro.) of the statutes is amended to read:

153.05 (2r) (intro.) Notwithstanding s. 16.75 (1), (2), and (3m), from the appropriation account under s. 20.515 (1) (ut) the department of employee trust funds may expend up to \$150,000, and from the appropriation accounts under s. 20.435 (1) ~~(fn)~~, (hg), and (hi) the department of health services, in its capacity as a public health authority, may expend moneys, to contract with a data organization to perform services under this subchapter that are specified for the data organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of health services to perform or contract for the performance of these services. As a condition of the contract under this subsection, all of the following apply:

**SECTION 1902.** 153.05 (2r) (d) to (h) of the statutes are created to read:

153.05 (2r) (d) The data organization shall provide an Internet site that offers health care provider cost and quality data and reports to consumers in a manner that is

comprehensive and transparent and that uses language that is understandable to laypersons.

(e) The data organization shall conduct statewide consumer information campaigns to improve health literacy.

(f) The data organization shall provide a review and reconsideration software solution to allow health care providers to validate their cost and quality data prior to publication on the Internet site described in par. (d).

(g) The data organization shall conduct other functions in support of the responsibilities under sub. (1) (c) as specified in the contract by the department of health services and the department of employee trust funds.

(h) The data organization shall fulfill the requirements under this subsection according to timelines established by the department of health services and the department of employee trust funds.

**SECTION 1904m.** 165.25 (10m) of the statutes is created to read:

165.25 (10m) REPORT ON GRANTS. Beginning on January 15, 2015, and annually thereafter, the department of justice shall submit a report to the legislature under s. 13.172 (2), regarding its administration of grant programs under ss. 165.95, 165.955, 165.96, 165.986, and 165.987. The report shall include, for each grant program, all of the following information:

(a) The amount of each grant awarded by the department of justice for the previous fiscal year.

(b) The grant recipient to whom each grant was awarded.

(c) The methodology used by the department of justice to choose grant recipients and to determine the level of grant funding for each grant recipient.

(d) Performance measures created by the department of justice for each grant program.

(e) Reported results from each grant recipient in each fiscal year as to the attainment of performance measures the department of justice developed for the grant recipient.

**SECTION 1905.** 165.75 (2) of the statutes is amended to read:

165.75 (2) ~~The laboratories shall be located in the cities of Madison, Milwaukee and Wausau. The personnel of the laboratories shall consist of such employees as are authorized under s. 20.922. The laboratory in the city of Milwaukee is named the William J. McCauley crime laboratory.~~

**SECTION 1906.** 165.76 (1) (am) of the statutes is created to read:

165.76 (1) (am) Is or was adjudicated delinquent for an act that if committed by an adult in this state would be a felony or for a violation of s. 940.225 (3m), 941.20 (1), 944.20, 944.30, 944.31, 944.33 (1), 946.52, or 948.10 (1) (b).

**SECTION 1907.** 165.76 (1) (as) of the statutes is created to read:

165.76 (1) (as) Is or was found guilty of any misdemeanor on or after the effective date of this paragraph .... [LRB inserts date].

**SECTION 1908.** 165.76 (1) (av) of the statutes is renumbered 165.76 (1) (av) (intro.) and amended to read:

165.76 (1) (av) (intro.) Is or was found guilty on or after January 1, 2000, of any of the following:

1. ~~Any felony or any.~~

2. ~~Before the effective date of this subdivision .... [LRB inserts date], any violation of s. 165.765 (1), 2011 stats., 940.225 (3m), 944.20, or 948.10 (1) (b).~~

**SECTION 1909.** 165.76 (1) (aw) of the statutes is created to read:

165.76 (1) (aw) Is or was found guilty on or after January 1, 2000, and before the effective date of this paragraph .... [LRB inserts date], of any violation of s. 940.225 (3m), 944.20, or 948.10.

**SECTION 1910.** 165.76 (1) (b) of the statutes is renumbered 165.76 (1) (bm).

**SECTION 1911.** 165.76 (1) (bg) of the statutes is created to read:

165.76 (1) (bg) Is or was sentenced or placed on probation on or after August 12, 1993, for a violation of s. 940.225, 948.02 (1) or (2), or 948.025.

**SECTION 1912.** 165.76 (1) (br) of the statutes is amended to read:

165.76 (1) (br) Has been found not guilty or not responsible by reason of mental disease or defect on or after January 1, 2000, and committed under s. 51.20 or 971.17, for any felony or a violation of s. 165.765 (1), 2011 stats., or of s. 940.225 (3m), 944.20, 946.52, or 948.10 (1) (b).

**SECTION 1913.** 165.76 (1) (cr) of the statutes is amended to read:

165.76 (1) (cr) Is or was in institutional care on or after January 1, 2000, for a felony or any violation of s. 165.765 (1), 2011 stats., or of s. 940.225 (3m), 944.20, 946.52, or 948.10 (1) (b).

**SECTION 1914.** 165.76 (1) (g) of the statutes is amended to read:

165.76 (1) (g) Has been required by a court under s. 51.20 (13) (cr), 938.21 (1m), 938.30 (2m), 938.34 (15m) (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

**SECTION 1914d.** 165.76 (1) (gm) of the statutes is created to read:

165.76 (1) (gm) Is arrested for a felony, or is taken into custody for a juvenile offense that would be a felony if committed by an adult in this state, and s. 165.84 (7) (am) 1., 2., 3., or 4. applies to the person.

**SECTION 1915.** 165.76 (1m) of the statutes is amended to read:

165.76 (1m) If a person is required to provide a biological specimen under sub. (1) (a) to ~~(g)~~ (gm) and the department of justice does not have the data obtained

from analysis of a biological specimen from the person that the department is required to maintain in the data bank under s. 165.77 (3), the department may require the person to provide a biological specimen, regardless of whether the person previously provided a biological specimen under this section or s. 51.20 (13) (cr), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063. The department of justice, the department of corrections, a district attorney, or a county sheriff, shall notify any person whom the department of justice requires to provide a biological specimen under this subsection.

**SECTION 1916.** 165.76 (2m) of the statutes is repealed.

**SECTION 1917.** 165.76 (2r) of the statutes is amended to read:

165.76 (2r) Failure by a person who is required to provide a biological specimen under sub. (1) to provide the biological specimen ~~at the time and place provided under sub. (2m) in accordance with the rules promulgated under sub. (4)~~ does not relieve the person of the obligation to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

**SECTION 1918.** 165.76 (3) of the statutes is repealed.

**SECTION 1919.** 165.76 (4) of the statutes is renumbered 165.76 (4) (intro.) and amended to read:

165.76 (4) (intro.) The department of justice ~~may~~ shall promulgate rules to implement do all of the following:

(e) Carry out the department's duties under this section.

**SECTION 1920.** 165.76 (4) (a), (b), (c) and (d) of the statutes are created to read:

165.76 (4) (a) Establish procedures and time limits for obtaining and submitting biological specimens under this section and ss. 51.20 (13) (cr), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, and 980.063.

(b) Specify whether an individual who is required under this section or s. 51.20 (13) (cr), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 to provide a biological specimen for deoxyribonucleic acid analysis must provide a new biological specimen if the crime laboratories already have a biological specimen from the individual or if data obtained from deoxyribonucleic acid analysis of the individual's biological specimen are already included in the data bank under s. 165.77 (3).

(c) Allow a biological specimen, or data obtained from analysis of a biological specimen, obtained under this section or s. 51.20 (13) (cr), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 to be submitted for inclusion in an index established under 42 USC 14132 (a) or in another national index system.

(d) Provide reimbursement from s. 20.455 (2) (Lm) to a person in charge of a law enforcement agency or tribal law enforcement agency at a rate of \$10 per specimen except that, if the department already has a biological specimen, or data obtained from analysis of a biological specimen, from the individual, the department may not reimburse the person in charge of the agency.

**SECTION 1921.** 165.765 (title) of the statutes is amended to read:

**165.765 (title) Biological specimen; penalty force and immunity.**

**SECTION 1922.** 165.765 (1) of the statutes is renumbered 946.52 and amended to read:

**946.52 Failure to submit biological specimen.**

Whoever intentionally fails to comply with a requirement to submit a biological specimen under s. 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 973.047, or 980.063 ~~may be fined not more than \$10,000 or imprisoned for not more than 9 months or both is guilty of a Class A misdemeanor.~~

**SECTION 1923.** 165.765 (1g) and (1m) of the statutes are created to read:

165.765 (1g) In this section:

(a) "Correctional officer" has the meaning given in s. 301.28 (1).

(b) "Jail officer" has the meaning given in s. 165.85 (2) (bn).

(c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(d) "Tribal officer" has the meaning given in s. 165.85 (2) (g).

(1m) A law enforcement officer; a jail officer; a tribal officer; a correctional officer; a probation, extended supervision, or parole officer; or an employee of the department of health services may use reasonable force to obtain a biological specimen from a person who intentionally refuses to provide a biological specimen that is required under s. 165.76 (1), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), or 970.02 (8).

**SECTION 1924.** 165.765 (2) (a) of the statutes is renumbered 165.765 (2) (a) 1. and amended to read:

165.765 (2) (a) 1. Any physician, registered nurse, medical technologist, physician assistant, or person acting under the direction of a physician who obtains a biological specimen under s. 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 is immune from any civil or criminal liability for the act, except for civil liability for negligence in the performance of the act.

**SECTION 1925.** 165.765 (2) (b) of the statutes is renumbered 165.765 (2) (a) 2. and amended to read:

165.765 (2) (a) 2. Any employer of the physician, nurse, technologist, assistant, or person under ~~par. (a)~~ subd. 1, or any hospital where blood is withdrawn by that physician, nurse, technologist, assistant, or person has

~~the same immunity from liability under par. (a) is immune from any civil or criminal liability for the act, except for civil liability for negligence in the performance of the act.~~

**SECTION 1926.** 165.765 (2) (bm) of the statutes is created to read:

165.765 (2) (bm) A law enforcement officer; a jail officer; a tribal officer; a correctional officer; a probation, extended supervision, or parole officer; or an employee of the department of health services, who is authorized to collect biological specimens, is immune from civil or criminal liability for collecting a biological specimen if the collection is in compliance with sub. (1m) and s. 165.76 and performed in good faith and in a reasonable manner.

**SECTION 1928.** 165.77 (2) (a) 2. of the statutes is amended to read:

165.77 (2) (a) 2. The laboratories may compare the data obtained from the specimen with data obtained from other specimens. The laboratories may make data obtained from any analysis and comparison available to law enforcement agencies in connection with criminal or delinquency investigations and, upon request, to any prosecutor, defense attorney, or subject of the data. The data may be used in criminal and delinquency actions and proceedings. The laboratories shall not include data obtained from deoxyribonucleic acid analysis of those specimens received under this paragraph in the data bank under sub. (3). ~~The laboratories shall destroy specimens obtained under this paragraph after analysis has been completed and the applicable court proceedings have concluded.~~

**SECTION 1929.** 165.77 (2) (b) of the statutes is amended to read:

165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063.

**SECTION 1930.** 165.77 (2m) (c) of the statutes is amended to read:

165.77 (2m) (c) Paragraph (b) does not apply to specimens received under s. 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063.

**SECTION 1931.** 165.77 (3) of the statutes is amended to read:

165.77 (3) If the laboratories receive a human biological specimen under s. 51.20 (13) (cr), 165.76, 165.84 (7) (am), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063, the laboratories shall analyze the deoxyribonucleic acid in the specimen. The laboratories shall maintain a data bank based on data obtained from deoxyribonucleic acid analysis of those specimens. The laboratories may compare the data obtained from one specimen with the data obtained from other specimens. The laboratories may make data

obtained from any analysis and comparison available to law enforcement agencies in connection with criminal or delinquency investigations and, upon request, to any prosecutor, defense attorney or subject of the data. The data may be used in criminal and delinquency actions and proceedings. ~~The laboratories shall destroy specimens obtained under this subsection after analysis has been completed and the applicable court proceedings have concluded.~~

**SECTION 1932.** 165.77 (4) (intro.) of the statutes is renumbered 165.77 (4) (am) (intro.) and amended to read:

165.77 (4) (am) (intro.) A person whose deoxyribonucleic acid analysis data ~~has~~ have been included in the data bank under sub. (3) may request expungement on the grounds that ~~his or her conviction or adjudication has been reversed, set aside or vacated. The all of the following conditions are satisfied:~~

(bm) If the department determines that the conditions under par. (am) are satisfied, the laboratories shall purge all records and identifiable information in the data bank pertaining to the person and destroy all samples from the person if it receives all of the following: upon receiving the person's written request for expungement and any documentation the department requires under rules promulgated under sub. (8).

**SECTION 1933.** 165.77 (4) (a) and (b) of the statutes are repealed.

**SECTION 1934.** 165.77 (4) (am) 1., 2. and 3. of the statutes are created to read:

165.77 (4) (am) 1. If the person was required to submit a biological specimen under s. 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063, all convictions, findings, or adjudications for which the person was required to submit a biological specimen under s. 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063 have been reversed, set aside, or vacated.

2. If the person was required to provide a biological specimen under s. 165.84 (7) in connection with an arrest or under s. 970.02 (8), one of the following applies:

a. All charges filed in connection with the arrest and all charges for which the person was required to provide a biological specimen under s. 970.02 (8) have been dismissed.

b. The trial court reached final disposition for all charges in connection with the arrest and for any charges for which the person was required to provide a biological specimen under s. 970.02 (8), and the person was not adjudged guilty of a crime in connection with the arrest or any charge for which the person was required to provide a biological specimen under s. 970.02 (8).

c. At least one year has passed since the arrest and the person has not been charged with a crime in connection with the arrest.

d. The person was adjudged guilty of a crime in connection with either the arrest or any charge for which the person was required to provide a biological specimen under s. 970.02 (8), and all such convictions have been reversed, set aside, or vacated.

3. If the person was required to provide a biological specimen under s. 165.84 (7) in connection with being taken into custody under s. 938.19 or under s. 938.21 (1m) or 938.30 (2m), one of the following applies:

a. All criminal complaints or delinquency petitions that allege that the person committed a violation that would be a felony if committed by an adult in this state and that are in connection with the taking into custody have been dismissed.

b. The trial court reached final disposition for all allegations that the person committed a violation that would be a felony if committed by an adult in this state that are in connection with the taking into custody and the person was not convicted or adjudged delinquent for an offense that would be a felony if committed by an adult in this state that is in connection with the taking into custody.

c. At least one year has passed since the person was taken into custody and no criminal complaint or delinquency petition alleging that the person committed a violation that would be a felony if committed by an adult in this state has been filed against the person in connection with the taking into custody.

d. The person was convicted or adjudged delinquent for a violation that would be a felony if committed by an adult in this state and that is in connection with the taking into custody and the conviction or delinquency adjudication has been reversed, set aside, or vacated.

**SECTION 1935.** 165.77 (7m) of the statutes is created to read:

**165.77 (7m)** An entry in the data bank that is found to be erroneous does not prohibit the legitimate use of the entry to further a criminal investigation or prosecution. The failure of a law enforcement agency or the laboratories to comply with this section, s. 165.76, 165.765, or 165.84, or any rules or procedures adopted to administer those sections, is not grounds for challenging the validity of the data collection, for challenging the use of the sample as provided in those sections, or for the suppression of evidence based upon or derived from any entry in the data bank.

**SECTION 1936.** 165.825 of the statutes is amended to read:

**165.825 Information link; department of health services.** The department of justice shall cooperate with the departments of safety and professional services and health services, and financial institutions in developing and maintaining a computer linkup to provide access to the information obtained from a criminal history search.

**SECTION 1937.** 165.84 (7) of the statutes is created to read:

**165.84 (7)** (a) Subject to rules promulgated under s. 165.76 (4), all persons in charge of law enforcement and tribal law enforcement agencies shall obtain, when the individual's fingerprints or other identifying data are obtained, a biological specimen for deoxyribonucleic acid analysis from each individual arrested for a felony and each individual taken into custody for a juvenile offense that would be a felony if committed by an adult in this state.

(am) The person in charge of the law enforcement or tribal law enforcement agency shall submit the specimen to the crime laboratories for deoxyribonucleic acid analysis and inclusion of the individual's deoxyribonucleic acid profile in the data bank under s. 165.77 (3) only if any of the following applies:

1. The individual was arrested, or the juvenile was taken into custody, under a warrant.

2. The court has made a finding that there is probable cause that the individual committed a felony or that the juvenile committed an offense that would be a felony if committed by an adult in this state.

3. The individual fails to appear at the initial appearance or preliminary examination or the person waives the preliminary examination.

4. The individual fails to appear for a delinquency proceeding under ch. 938.

(b) Biological samples required under par. (a) shall be obtained and, if par. (am) requires, submitted as specified in rules promulgated by the department of justice under s. 165.76 (4).

(bm) 1. Unless par. (am) 1. applies to the individual, the court shall notify the agency if par. (am) 2., 3., or 4. applies to an individual the law enforcement or tribal law enforcement agency arrested.

2. Unless par. (am) 1. applies to the individual, if, one year after the date the biological sample was obtained under par. (a), the court has not notified under subd. 1. the law enforcement or tribal law enforcement agency that par. (am) 2., 3., or 4. applies to the individual, the law enforcement or tribal law enforcement agency shall destroy the biological sample.

(c) 1. No biological specimen obtained under par. (a) may be subject to analysis except by the crime laboratories as provided under s. 165.77.

2. Biological specimens obtained under this section may be used only as provided under s. 165.77.

**SECTION 1938.** 165.845 (title) of the statutes is created to read:

**165.845 (title) Collect crime data.**

**SECTION 1939.** 165.845 (1) (intro.) of the statutes is created to read:

**165.845 (1)** (intro.) The department of justice shall:

**SECTION 1941.** 165.91 (4) of the statutes is repealed.

**SECTION 1942.** 165.93 (2) (a) of the statutes is amended to read:



165.93 (2) (a) ~~Beginning on January 1, 1995, the The~~ department shall provide grants to eligible organizations from the ~~appropriation appropriations~~ under s. 20.455 (5) ~~(ge) (e) and (gi)~~ to provide services for sexual assault victims.

**SECTION 1942m.** 165.94 of the statutes is created to read:

**165.94 Global positioning system pilot programs; grants.** (1) From the appropriation under s. 20.455 (5) (br), the department of justice shall provide grants to counties to establish a global positioning system tracking program for persons who are subject to a temporary restraining order or injunction under s. 813.12 or 813.125.

(2) A grant recipient under this section shall provide matching funds equal to 50 percent of the grant amount awarded.

(3) Two or more counties may jointly establish and administer a program and apply for and receive a grant under this section.

**SECTION 1944.** 165.95 (title) of the statutes is created to read:

**165.95 (title) Alternatives to incarceration; grant program.**

**SECTION 1944m.** 165.955 of the statutes is created to read:

**165.955 Drug court; grant program.** (1) In this section, "drug court" means a court that diverts a substance-abusing person from prison or jail into treatment by increasing direct supervision of the person, coordinating public resources, providing intensive community-based treatment, and expediting case processing.

(2) From the appropriation under s. 20.455 (2) (eg), the department of justice shall provide, to counties that have not established a drug court, grants to establish and operate drug courts.

**SECTION 1945.** 165.984 of the statutes is repealed.

**SECTION 1946.** 165.986 (title) of the statutes is created to read:

**165.986 (title) Beat patrol officers; grant program.**

**SECTION 1947.** 165.987 (title) of the statutes is created to read:

**165.987 (title) Youth diversion programs; grant program.**

**SECTION 1948.** 167.35 (1) (f) 4. of the statutes is created to read:

167.35 (1) (f) 4. Any person who owns an automated roll-your-own machine that is used to make cigarettes, not including an individual who owns a roll-your-own machine and uses the machine in his or her home solely to make cigarettes for his or her personal use or for the use of other individuals who live in his or her home.

**SECTION 1949.** Chapter 168 (title) of the statutes is repealed and recreated to read:

## CHAPTER 168

## PETROLEUM PRODUCTS

### AND DANGEROUS SUBSTANCES

**SECTION 1950.** Subchapter I (title) of chapter 168 [precedes 168.01] of the statutes is created to read:

## CHAPTER 168

### SUBCHAPTER I

#### PETROLEUM PRODUCT INSPECTIONS

**SECTION 1951.** 168.01 (intro.) of the statutes is amended to read:

**168.01 Definitions.** (intro.) In this ~~chapter~~ subchapter:

**SECTION 1952.** 168.01 (1) of the statutes is amended to read:

168.01 (1) "Department" means the department of ~~safety and professional services~~ agriculture, trade and consumer protection.

**SECTION 1953.** 168.01 (2) of the statutes is renumbered 168.01 (4).

**SECTION 1954.** 168.02 (title) of the statutes is repealed.

**SECTION 1955.** 168.02 of the statutes is renumbered 168.01 (2).

**SECTION 1956.** 168.03 (title) of the statutes is repealed.

**SECTION 1957.** 168.03 of the statutes is renumbered 168.01 (3).

**SECTION 1958.** 168.05 (1) of the statutes is amended to read:

168.05 (1) No petroleum product imported into and received in this state or received from a manufacturer or refiner or from a marine or pipeline terminal within this state may be unloaded from its original container except as provided under sub. (5), sold, offered for sale or used until a true sample of not less than 8 ounces is taken as provided in this ~~chapter~~ subchapter. This subsection does not apply if the department has previously inspected the petroleum product at the refinery, marine or pipeline terminal. Each person importing or receiving a petroleum product which has not been previously inspected shall notify the inspector in the person's district of the receipt thereof, and the inspector shall take a sample of the petroleum product.

**SECTION 1959.** 168.06 (1) of the statutes is amended to read:

168.06 (1) For the purposes of administering this ~~chapter~~ subchapter, inspectors may take samples of gasoline, gasoline-alcohol fuel blends, kerosene, other refined oils, fuel oils and petroleum distillates for tests and make inspections at any points within or without this state, and may open any original container containing gasoline, gasoline-alcohol fuel blends, kerosene, other refined oils, fuel oils and petroleum distillates and take a true sample of not less than 8 ounces of the contents thereof, even though the original containers may still be in the possession of a common or contract carrier, provided the opening and sampling does not unduly incon-

venience or hamper the transportation of the products. After the original containers are opened and sampled the same shall be resealed with seals furnished by the department for such purposes. The authority conferred by this section shall be in addition to, and not in limitation of, any of the provisions of s. 168.05.

**SECTION 1960.** 168.08 (1) of the statutes is amended to read:

168.08 (1) Time and place of each inspection.

**SECTION 1961.** 168.09 of the statutes is amended to read:

**168.09 Authority to enter.** Any inspector may enter in or upon the premises of any manufacturer, vendor, dealer or user of gasoline, gasoline-alcohol fuel blends, kerosene, other refined oils, fuel oils and petroleum distillates, during regular business hours to determine whether any petroleum product intended for sale or use has not been sampled and inspected in accordance with this ~~chapter~~ subchapter.

**SECTION 1961n.** 168.12 (6) (c) of the statutes is amended to read:

168.12 (6) (c) The department of revenue shall investigate the correctness and veracity of the representations in the claim and may require a claimant to submit records to substantiate the claim. The department of revenue shall either allow or deny a claim under this subsection not later than 60 days after the filing of the claim. If the department of revenue allows the claim, it shall pay the claimant the amount allowed from the moneys appropriated under s. 20.855 (4) (r). If the department of revenue does not pay the allowance by the 90th day after the date on which the purchaser files the claim, the department of revenue shall also pay interest on the unpaid claim beginning on that day, at the rate of 9% 3 percent per year, from the moneys appropriated under s. 20.855 (4) (r).

**SECTION 1962.** 168.125 of the statutes is amended to read:

**168.125 Reports; payment.** Persons who are liable for the fee under this ~~chapter~~ subchapter shall state the number of gallons of petroleum products on which the fee is due and the amount of their liability for the fee in the reports under s. 78.12 (1) to (3). The requirements for payment of the motor vehicle fuel tax under s. 78.12 (5) apply to the fee under this ~~chapter~~ subchapter.

**SECTION 1963.** 168.15 of the statutes is amended to read:

**168.15 Penalty.** Every person who violates any provision of this ~~chapter~~ subchapter that is not related to the fee under s. 168.12 (1) shall forfeit not less than \$10 nor more than \$100 for each violation. Each day a person fails to comply with any provision of this ~~chapter~~ subchapter is a separate violation.

**SECTION 1964.** 168.16 (1) of the statutes is amended to read:

168.16 (1) The department shall enforce this ~~chapter~~ subchapter. Inspection districts shall be defined and numbered by the department.

**SECTION 1965.** 168.16 (2) of the statutes is amended to read:

168.16 (2) Any accident or explosion involving products of petroleum which comes to the knowledge of the department shall be investigated to determine whether or not there has been a violation of this ~~chapter~~ subchapter.

**SECTION 1966.** 168.16 (4) of the statutes is amended to read:

168.16 (4) The department may promulgate reasonable rules relating to the administration and enforcement of this ~~chapter~~ subchapter.

**SECTION 1967.** 168.17 of the statutes is amended to read:

**168.17 Attorney general and district attorney to prosecute.** Upon request of the department, the attorney general or proper district attorney shall prosecute any action to enforce this ~~chapter~~ subchapter except the fee that is imposed under s. 168.12 (1).

**SECTION 1968.** 168.18 of the statutes is repealed.

**SECTION 1969.** Subchapter II (title) of chapter 168 [precedes 168.21] of the statutes is created to read:

## CHAPTER 168

### SUBCHAPTER II

#### STORAGE OF DANGEROUS SUBSTANCES

**SECTION 1970.** 168.21 (2) of the statutes is created to read:

168.21 (2) "Department" means the department of agriculture, trade and consumer protection.

**SECTION 1970q.** 175.35 (2i) of the statutes is amended to read:

175.35 (2i) The department shall charge a firearms dealer a ~~\$13~~ \$10 fee for each firearms restrictions record search that the firearms dealer requests under sub. (2) (c). The firearms dealer may collect the fee from the transferee. The department may refuse to conduct firearms restrictions record searches for any firearms dealer who fails to pay any fee under this subsection within 30 days after billing by the department.

**SECTION 1971.** 175.49 (5m) of the statutes is amended to read:

175.49 (5m) FEES. The department may charge a fee to verify eligibility for a certification card under this section, for the issuance of a certification card under sub. (3), or for the renewal of a certification card under sub. (5), but the fee may not exceed the costs the department incurs in verifying eligibility or for issuing or renewing a certification card. Payments made to the department under this subsection shall be credited to the appropriation account under s. 20.455 (2) (~~gu~~) (gr).

**SECTION 1971m.** 177.01 (1) of the statutes is amended to read:

177.01 (1) "Administrator" means the ~~state treasurer~~ secretary of revenue.

**SECTION 1971n.** 177.075 (3) of the statutes is created to read:

177.075 (3) Any intangible property distributable in the course of the dissolution of the Health Insurance Risk-Sharing Plan under 2013 Wisconsin Act .... (this act), section 9122 (1L), is presumed abandoned as otherwise provided under this chapter if sub. (1) (a), (b), or (c) does not apply with respect to the distribution.

**SECTION 1971r.** 177.23 (2) (e) of the statutes is amended to read:

177.23 (2) (e) Salaries of the employees of the office of the state treasurer and the department of revenue that are attributable to the administration of this chapter.

**SECTION 1972.** 180.1421 (2m) (b) of the statutes is amended to read:

180.1421 (2m) (b) If the notice under par. (a) is returned to the department as undeliverable or if the corporation's principal office cannot be determined from the records of the department, the department shall give the notice by publishing a class 1 notice under ch. 985 in the official state newspaper posting the notice on the department's Internet site.

**SECTION 1972m.** 180.1440 of the statutes is amended to read:

**180.1440 Delivery to state treasurer secretary of revenue.** Assets of a dissolved corporation that should be transferred to a creditor, claimant or shareholder of the corporation and are unclaimed shall be reduced to cash and shall be reported and delivered to the ~~state treasurer~~ secretary of revenue as provided under ch. 177.

**SECTION 1973.** 180.1531 (2m) (b) of the statutes is amended to read:

180.1531 (2m) (b) If the notice under par. (a) is returned to the department as undeliverable or if the corporation's principal office cannot be determined from the records of the department, the department shall give the notice by publishing a class 1 notice under ch. 985 in the official state newspaper posting the notice on the department's Internet site.

**SECTION 1974.** 181.0203 (3) of the statutes is amended to read:

181.0203 (3) NOTIFICATION OF REPORTING REQUIREMENTS. Upon filing articles of incorporation of a corporation, the department shall inform the corporation of the reporting requirements under s. ~~440.42~~ 202.12 for charitable organizations that solicit contributions.

**SECTION 1975.** 181.1421 (2) (b) of the statutes is amended to read:

181.1421 (2) (b) If the notice under par. (a) is returned to the department as undeliverable or if the corporation's principal office cannot be determined from the records of the department, the department shall give the

notice by publishing a class 1 notice under ch. 985 in the official state newspaper posting the notice on the department's Internet site.

**SECTION 1976.** 181.1421 (3) (d) of the statutes is amended to read:

181.1421 (3) (d) If the notice is ~~published as a class 1 notice, under ch. 985, the effective date set under ch. 985 for the notice posted on the department's Internet site, the date of posting.~~

**SECTION 1976m.** 181.1440 of the statutes is amended to read:

**181.1440 Deposit with state treasurer secretary of revenue.** Assets of a dissolved corporation that should be transferred to a creditor, claimant, or member of the corporation who cannot be found or who is not competent to receive them, shall be reduced to cash subject to known trust restrictions and deposited with the ~~state treasurer~~ secretary of revenue for safekeeping. However, in the ~~state treasurer's~~ secretary's discretion property may be received and held in kind. When the creditor, claimant, or member furnishes satisfactory proof of entitlement to the amount deposited or property held in kind, the ~~state treasurer secretary of revenue~~ shall deliver to the creditor, member or other person or his or her representative that amount or property.

**SECTION 1977.** 181.1531 (2g) (b) of the statutes is amended to read:

181.1531 (2g) (b) If the notice under par. (a) is returned to the department as undeliverable or if the corporation's principal office cannot be determined from the records of the department, the department shall give the notice by publishing a class 1 notice under ch. 985 in the official state newspaper posting the notice on the department's Internet site.

**SECTION 1978.** 181.1622 (1) (intro.) of the statutes is amended to read:

181.1622 (1) CONTENT. (intro.) Each domestic corporation and each foreign corporation authorized to transact business in this state shall file with the department an annual report under this section. ~~The department shall forward by 1st class mail a report form to every corporation that has filed an annual report during the past 2 years. The department shall mail the report form no later than 60 days before the date on which the corporation is required by this chapter to file an annual report. The annual report shall include that includes~~ all of the following information:

**SECTION 1978d.** 182.017 (1g) (b) 1. of the statutes is amended to read:

182.017 (1g) (b) 1. A domestic corporation, limited liability company, partnership, or other business entity organized to furnish telegraph or telecommunications service or transmit heat, power, or electric current to the public or for public purposes.

**SECTION 1978h.** 182.017 (1g) (bm) of the statutes is created to read:

182.017 (1g) (bm) "Municipal regulation" means any contract, ordinance, resolution, order, or other regulation entered into, enacted, or issued by a municipality before, on, or after the effective date of this paragraph .... [LRB inserts date].

**SECTION 1978p.** 182.017 (8) (a) of the statutes is amended to read:

182.017 (8) (a) Upon complaint by a company that a regulation by a municipality under sub. (1r) is unreasonable, the commission shall set a hearing and, if the commission finds that the regulation is unreasonable, the regulation shall be void. If Subject to pars. (am) to (c), if the commission determines that a municipal regulation that was in effect on January 1, 2007, and immediately prior to January 9, 2008, or that a community standard, as demonstrated through consistent practice and custom in the municipality, that was in effect on January 1, 2007, and immediately prior to January 9, 2008, is substantially the same as the municipal regulation complained of, there is a rebuttable presumption that the latter regulation is reasonable.

**SECTION 1978t.** 182.017 (8) (as) of the statutes is created to read:

182.017 (8) (as) Notwithstanding sub. (2), a municipal regulation is unreasonable if it requires a company to pay any part of the cost to modify or relocate the company's facilities to accommodate an urban rail transit system.

**SECTION 1980.** 183.09025 (2) (b) of the statutes is amended to read:

183.09025 (2) (b) Within 60 days after the date on which the notice is received or the date on which the ~~class 4~~ notice under par. (d) is ~~published~~ posted, the limited liability company shall correct each ground for dissolution or demonstrate to the reasonable satisfaction of the department that each ground determined by the department does not exist.

**SECTION 1981.** 183.09025 (2) (d) of the statutes is amended to read:

183.09025 (2) (d) If a notice under par. (a) or (c) is returned to the department as undeliverable, the department shall again mail the notice to the limited liability company as provided under that paragraph. If the notice is again returned to the department as undeliverable, the department shall give the notice by publishing a class 4 notice under ch. 985 in the official state newspaper posting the notice on the department's Internet site.

**SECTION 1982.** 183.1021 (2g) (b) of the statutes is amended to read:

183.1021 (2g) (b) If the notice under par. (a) is returned to the department as undeliverable or if the foreign limited liability company's principal office cannot be determined from the records of the department, the department shall give the notice by publishing a class 4 notice under ch. 985 in the official state newspaper posting the notice on the department's Internet site.

**SECTION 1982d.** 185.75 (2) of the statutes is amended to read:

185.75 (2) Assets distributable in the course of the liquidation of a cooperative that remain unclaimed after one year may be reported and delivered to the ~~state treasurer~~ secretary of revenue as provided under ch. 177. Assets distributable in the course of the liquidation of a cooperative that are not forfeited under sub. (1) and that remain unclaimed after 5 years shall be reported and delivered to the ~~state treasurer~~ secretary of revenue under ch. 177.

**SECTION 1982h.** 186.235 (11) (p) 3. of the statutes is amended to read:

186.235 (11) (p) 3. One year after the date of the order for final distribution, the office of credit unions shall report and deliver to the ~~state treasurer~~ secretary of revenue all unclaimed funds as provided in ch. 177. All claims subsequently arising shall be presented to the office of credit unions. If the office of credit unions determines that any claim should be allowed, the office shall certify to the department of administration the name and address of the person entitled to payment and the amount of the payment and shall attach the claim to the certificate. The department of administration shall certify the claim to the ~~state treasurer~~ secretary of revenue for payment.

**SECTION 1982p.** 193.735 (1) (intro.) of the statutes is amended to read:

193.735 (1) ALTERNATE PROCEDURE TO DISTRIBUTE PROPERTY. (intro.) Notwithstanding s. 177.17 (4) (a) 2. and (b), a cooperative may distribute any property required to be reported under s. 177.17 (1) to an entity that is exempt from taxation under section 501 (a) of the Internal Revenue Code. A cooperative making a distribution under this subsection shall file all of the following with the ~~state treasurer~~ secretary of revenue before making the distribution:

**SECTION 1982t.** 193.905 (4) (b) of the statutes is amended to read:

193.905 (4) (b) Assets distributable in the course of the dissolution of a cooperative that are not forfeited under par. (a) shall be reported and delivered to the ~~state treasurer~~ secretary of revenue as provided under ch. 177.

**SECTION 1989.** 196.208 (5p) (a) 1. of the statutes is amended to read:

196.208 (5p) (a) 1. "Charitable organization" has the meaning given in s. 440.41 202.11 (1).

**SECTION 1989b.** 196.504 of the statutes is created to read:

#### **196.504 Broadband expansion grant program.**

(1) In this section:

(a) "Eligible applicant" means any of the following:

1. An organization operated for profit or not for profit, including a cooperative.
2. A telecommunications utility.

3. A city, village, town, or county that submits an application in partnership with an eligible applicant under subd. 1. or 2.

(b) "Underserved" means served by fewer than 2 broadband service providers.

(2) The commission shall administer the broadband expansion program and shall have the following powers:

(a) To make broadband expansion grants to eligible applicants for the purpose of constructing broadband infrastructure in underserved areas designated under par. (d). Grants awarded under this section shall be paid from the appropriation under s. 20.155 (3) (g).

(b) To prescribe the form, nature, and extent of the information that shall be contained in an application for a grant under this section. The application shall require the applicant to identify the area of the state that will be affected by the proposed project and explain how the proposed project will increase broadband access.

(c) To establish criteria for evaluating applications and awarding grants under this section. The criteria shall prohibit grants that have the effect of subsidizing the expenses of a telecommunication provider or the monthly bills of telecommunications customers. The criteria shall give priority to projects that include matching funds, that involve public-private partnerships, that affect areas with no broadband service providers, or that affect a large geographic area or a large number of underserved individuals or communities.

(d) To designate areas of the state that are underserved as underserved areas.

**SECTION 1989c.** 196.58 (1) of the statutes is renumbered 196.58 (1r), and 196.58 (1r) (a) and (c), as renumbered, are amended to read:

196.58 (1r) (a) Determine by ~~contract, ordinance or resolution~~ municipal regulation the quality and character of each kind of product or service to be furnished or rendered by any public utility within the municipality and all other terms and conditions, consistent with this chapter and ch. 197, upon which the public utility may be permitted to occupy the streets, highways or other public places within the municipality. The ~~contract, ordinance or resolution~~ municipal regulation shall be in force and on its face reasonable.

(c) Provide a penalty for noncompliance with the provisions of any ~~ordinance or resolution~~ municipal regulation adopted under this subsection.

**SECTION 1989g.** 196.58 (1g) of the statutes is created to read:

196.58 (1g) In this section, "municipal regulation" has the meaning given in s. 182.017 (1g) (bm).

**SECTION 1989L.** 196.58 (4) of the statutes is renumbered 196.58 (4) (a) and amended to read:

196.58 (4) (a) Upon complaint made by a public utility or by any qualified complainant under s. 196.26, the commission shall set a hearing and if it finds a ~~contract, ordinance or resolution~~ municipal regulation under sub.

(1) (1r) to be unreasonable, the ~~contract, ordinance or resolution~~ municipal regulation shall be void.

**SECTION 1989p.** 196.58 (4) (b) of the statutes is created to read:

196.58 (4) (b) Notwithstanding any provision of this chapter, upon complaint by a telecommunications provider, including an alternative telecommunications utility, or a video service provider, the commission shall set a hearing and, if it finds to be unreasonable any municipal regulation relating to any product or service rendered by any such provider within a municipality or relating to the terms and conditions upon which such provider occupies the streets, highways, or other public places within the municipality, the municipal regulation shall be void.

**SECTION 1989t.** 196.58 (4) (c) of the statutes is created to read:

196.58 (4) (c) Notwithstanding s. 182.017 (2), a municipal regulation is unreasonable under par. (a) or (b) if it requires a public utility, telecommunications provider, or video service provider to pay any part of the cost to modify or relocate the public utility's, telecommunications provider's, or video service provider's facilities to accommodate an urban rail transit system, as defined in s. 182.017 (1g) (ct).

**SECTION 1989x.** 196.58 (6) of the statutes is amended to read:

196.58 (6) No public utility furnishing and selling gaseous fuel or undertaking to furnish or sell gaseous fuel in a municipality where the fuel has not been sold previously to the public shall change the character or kind of fuel by substituting for manufactured gas any natural gas or any mixture of natural and manufactured gas for distribution and sale in any municipality, or undertake the sale of natural gas in any municipality where no gaseous fuel was previously sold, unless the governing body of the municipality, by authorization, passage or adoption of appropriate ~~contract, ordinance or resolution~~ municipal regulation, approves and authorizes the change in fuel or commencement of sale. No ~~contract, ordinance or resolution~~ municipal regulation enacted under this subsection may be inconsistent or in conflict with any certificate granted under s. 196.49.

**SECTION 1990.** Chapter 202 of the statutes is created to read:

## CHAPTER 202

### REGULATION OF PROFESSIONAL EMPLOYER ORGANIZATIONS AND THE SOLICITATION OF FUNDS FOR A CHARITABLE PURPOSE

#### SUBCHAPTER I

#### GENERAL PROVISIONS

#### 202.01 Definitions. In this subchapter:

(1) "Applicant" means any of the following:

(a) A person applying to the department for an initial registration.

(b) A person applying to the department for renewal of a registration.

(2) "Controlling person" has the meaning given in 202.21 (3).

(3) "Department" means the department of financial institutions.

(4) "Registrant" means a person who is registered under ss. 202.12 to 202.14 or 202.22.

(5) "Registration" means a registration the department issues under ss. 202.12 to 202.14 or 202.22.

**202.02 General duties and powers.** (1) The department may issue subpoenas for the attendance of witnesses and the production of documents or other materials prior to the commencement of a disciplinary or other proceeding under this chapter.

(2) The department shall establish the content and form of each type of registration. Upon the request of a registrant and payment of a \$10 fee, the department may issue to a registrant a wall certificate.

(3) The department may require a registrant to do any of the following:

(a) Display the registrant's certificate of registration in a conspicuous place in the registrant's office or place of business.

(b) Post a notice in a conspicuous place in the registrant's office or place of business describing the procedures for filing a complaint against the registrant.

(4) (a) The department shall require each applicant to provide his or her social security number with the applicant's application for a registration or registration renewal, or, if the applicant is not an individual, the department shall require the applicant to provide its federal employer identification number.

(b) If an applicant is an individual who does not have a social security number, the applicant shall submit a statement to the department made or subscribed under oath that the applicant does not have a social security number. The department of children and families shall prescribe the form of the statement. A registration issued in reliance upon a false statement submitted under this paragraph is invalid.

(c) The department may not disclose a social security number obtained under par. (a) to any person except the department of children and families to administer s. 49.22 and the department of revenue to request certifications under s. 73.0301 and administer state taxes.

(5) The department shall cooperate with the departments of justice, health services, and children and families to develop and maintain a computer linkup to provide access to information regarding the current status of a registration, including whether the registration has been restricted in any way.

(6) (a) The department may conduct an investigation to determine whether an applicant satisfies any of the eligibility requirements specified for the registration, including whether the applicant does not have an arrest

or conviction record. In conducting an investigation under this paragraph, the department may require an applicant to provide any information that is necessary for the investigation, except that, for an investigation of an arrest or conviction record, the department shall comply with the requirements under par. (d).

(b) A registrant who is convicted of a felony or misdemeanor anywhere shall send a notice of the conviction by 1st class mail to the department within 48 hours after the entry of the judgment of conviction.

(c) The department may investigate whether an applicant or registrant has been charged with or convicted of a crime.

(d) 1. Except as provided in subd. 2., the department may not require that an applicant or registrant be fingerprinted or submit fingerprints in connection with a registration.

2. The department may require a person for whom the department conducts an investigation under par. (c) to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation to verify the identity of the persons fingerprinted and obtain records of their criminal arrests and convictions.

(e) The department shall charge an applicant the fees, costs, or other expenses the department incurs for conducting an investigation under this subsection.

(7) The department may require the electronic submission of an application for registration or registration renewal or any other document or information that may be submitted to the department under this chapter.

**202.025 Registration renewal; denial of registration or registration renewal.** (1) NOTICE OF RENEWAL. (a) The department shall give a notice of renewal to each registrant at least 30 days before the renewal date of the registration. The department may give that notice by electronic transmission.

(b) Failure to receive a notice of renewal is not a defense in any disciplinary proceeding against a registrant or in any proceeding against a former registrant for practicing without a registration. Failure to receive a notice of renewal does not relieve a registrant from the obligation to pay a penalty for late renewal under sub. (2).

(2) LATE RENEWAL. If the department does not receive an application to renew a registration before the applicable renewal date, the registrant may restore the registration by paying, within 60 days after the renewal date, the renewal fee and late fee determined by the department under s. 202.08.

(3) DENIAL OF REGISTRATION OR REGISTRATION RENEWAL. (a) 1. Notwithstanding ss. 202.12 to 202.14 and 202.23, if the department determines that an applicant for registration or registration renewal has failed to comply with any applicable requirement for renewal, or that the denial of an application for registration or regis-

tration renewal is necessary to protect the public health, safety, or welfare, the department may summarily deny the application for registration or registration renewal.

2. If the department denies an application for registration or registration renewal under subd. 1., the department shall provide the applicant with a notice of denial that states the facts or conduct giving rise to the denial and states that the applicant may, within 30 days after the date stated on the notice of denial, file a written request with the department for the department to review the denial at a hearing.

(b) This subsection does not apply to a denial of a registration or registration renewal under s. 202.03 or 202.035 (2) (b).

**202.03 Registration denial, nonrenewal, or revocation based on tax delinquency.** Notwithstanding ss. 202.12 to 202.14 and 202.22, the department shall deny an application for an initial registration or for registration renewal, or revoke a registration, if the department of revenue certifies under s. 73.0301 that the applicant or registrant is liable for delinquent taxes, as defined in s. 73.0301 (1) (c).

**202.035 Delinquency in support payments; failure to comply with subpoena or warrant.** (1) In this section, "support" has the meaning given in s. 49.857 (1) (g).

(2) Notwithstanding ss. 202.12 to 202.14 and 202.22, the department shall do all of the following, subject to the memorandum of understanding between the department and the department of children and families under s. 49.857:

(a) Restrict, limit, or suspend a registration, or deny an application for an initial registration, if the registrant, applicant, or a controlling person of the registrant or applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant related to support or paternity proceedings that is issued by the department of children and families or a county child support agency under s. 59.53 (5).

(b) Deny an application for registration renewal if the registrant or a controlling person of the registrant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant related to support or paternity proceedings that is issued by the department of children and families or a county child support agency under s. 59.53 (5).

**202.04 Voluntary surrender of registration.** A registrant may voluntarily surrender his or her registration. The department may refuse to accept that surrender if a complaint has been filed or a disciplinary proceeding has been commenced against the registrant.

**202.05 Nondisclosure of certain personal information.** (1) In this section:

(a) "List" means information compiled or maintained by the department that contains the personal identifiers of at least 10 individuals.

(b) "Personal identifier" means a social security number, telephone number, street name and number, electronic mail address, or post-office box number.

(2) If a form that the department requires an individual to complete in connection with a registration or registration renewal under this chapter requires the individual to provide a personal identifier of the individual, the form shall include a place for the individual to declare that the individual's personal identifier may not be disclosed on any list that the department furnishes to another person.

(3) If the department requires an individual to provide in person or by telephone or other electronic means a personal identifier of the individual in connection with a registration or registration renewal under this chapter, the department shall provide the individual an opportunity to declare that the individual's personal identifier may not be disclosed on any list that the department furnishes to another person.

(4) Upon request, the department shall provide to a registrant who is an individual a form that includes a place for the individual to declare that the individual's personal identifier may not be disclosed on any list that the department furnishes to another person.

(5) (a) Except as provided in par. (b), the department may not disclose on any list that it furnishes to another person a personal identifier of any individual who has made a declaration under sub. (2), (3), or (4).

(b) Paragraph (a) does not apply to a list that the department furnishes to another state agency, a law enforcement agency, or a federal governmental agency. A state agency that receives a list from the department containing a personal identifier of an individual who has made a declaration under sub. (2), (3), or (4) may not disclose the personal identifier to any person other than a state agency, a law enforcement agency, or a federal governmental agency.

**202.055 Change of name or address.** (1) An applicant or registrant that undergoes a change of name or address shall notify the department of the applicant's or registrant's new name or address within 30 days after the change in writing or in accordance with other notification procedures approved by the department.

(2) The department may serve any process, notice, or demand on a registrant by mailing it to the last-known address of the registrant as indicated in the department's records, or by other means established by the department by rule.

(3) Any person who fails to comply with sub. (1) shall be subject to a forfeiture of \$50.

**202.06 Disciplinary proceedings; enforcement of laws requiring registration.** (1) INVESTIGATIONS. The department may conduct investigations and hold hearings to determine whether any person has violated this chapter or any rule promulgated under this chapter.

(2) DISCIPLINARY ACTION. The department may reprimand a registrant or deny, limit, suspend, revoke, restrict,

refuse to renew, or otherwise withhold a registration if the department finds that an applicant, registrant, or controlling person has done any of the following:

(a) Made a material misrepresentation or false statement in an application for registration or registration renewal or in any other information submitted to the department or in a report under s. 108.067.

(b) Violated this chapter or a rule promulgated under this chapter.

(3) **FORFEITURE.** In addition to or in lieu of a reprimand or a denial, limitation, suspension, revocation, restriction, nonrenewal, or other withholding of a registration under sub. (2), the department may assess against an applicant, registrant, or controlling person a forfeiture of not more than \$1,000 for each violation.

(5) **INJUNCTION.** If it appears upon complaint to the department or the department otherwise knows that any person has violated this chapter, the department or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring action in the name of and on behalf of the state against that person to enjoin the person from committing further violations of this chapter.

(6) **PRACTICE WITHOUT A REGISTRATION.** (a) If, after holding a public hearing, the department determines that a person has engaged in a practice or used a title without a required registration, the department may issue a special order enjoining the person from continuing the practice or use of the title.

(b) In lieu of holding a public hearing, if the department has reason to believe that a person has engaged in a practice or used a title without a required registration, the department may petition the circuit court for a temporary restraining order or an injunction as provided in ch. 813.

(c) 1. Any person who violates a special order issued under par. (a) may be required to forfeit not more than \$10,000 for each offense. Each day of continued violation constitutes a separate offense. The attorney general or any district attorney may commence an action in the name of the state to recover a forfeiture under this subdivision.

2. Any person who violates a temporary restraining order or an injunction issued by a court upon a petition under par. (b) may be fined not less than \$25 nor more than \$5,000 or imprisoned for not more than one year in the county jail or both.

(7) **JUDICIAL REVIEW.** Any person who is aggrieved by any action taken under this chapter by the department, its officers, or agents may apply for judicial review as provided in ch. 227.

**202.07 Administrative warnings.** (1) If the department determines during an investigation of a complaint against a registrant that there is evidence that the registrant committed misconduct, the department may close the investigation by issuing an administrative warning to

the registrant if the department determines that no further disciplinary action is warranted, the complaint involves a first occurrence of a minor violation, and the issuance of an administrative warning adequately protects the public.

(2) A registrant may obtain review of an administrative warning through a personal appearance before the department.

(3) (a) An administrative warning does not constitute an adjudication of guilt or the imposition of discipline and, except as provided in par. (b), may not be used as evidence that the registrant is guilty of the alleged misconduct.

(b) If the department receives a subsequent complaint of misconduct by a registrant against whom the department issued an administrative warning, the department may reopen the matter that gave rise to the administrative warning and commence disciplinary proceedings against the registrant, and the administrative warning may be used as evidence that the registrant had actual notice that the misconduct that was the basis for the administrative warning was contrary to law.

(4) An administrative warning is a public record subject to inspection or copying under s. 19.35.

**202.08 Fees.** (1) The department shall determine the fees for an initial registration and for a registration renewal, including late fees for each type of registration under ss. 202.12 to 202.14 and 202.22, based on the department's administrative and enforcement costs under this chapter.

(2) Before the department makes any fee adjustment under sub. (1), the department shall send a notification of the proposed fee adjustments to the cochairpersons of the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of financial institutions within 14 working days after the date of the department's notification that the committee has scheduled a meeting for the purpose of reviewing the proposed fee adjustments, the fee adjustments may be made as proposed. The department shall notify registrants of the fee adjustments by posting the fee adjustments on the department's Internet site and in registration renewal notices sent to affected registrants under s. 202.025 (1). If, within 14 working days after the date of the department's notification, the cochairpersons of the committee notify the secretary of financial institutions that the committee has scheduled a meeting for the purpose of reviewing the proposed fee adjustments, the fee adjustments may be made only upon approval of the committee.

**202.09 Debit or credit card payments; collection of registration for nonpayment by financial institution.** (1) If the department permits the payment of a fee by use of a debit or credit card, the department may charge a service charge for each transaction in addition to the fee being paid. The service charge shall be suffi-



cient to cover the cost to the department of permitting the payment of a fee by debit or credit card.

(2) If a registrant pays a fee required under this chapter by check or by debit or credit card and the check is not paid by the financial institution upon which the check is drawn or if the demand for payment under the debit or credit card transaction is not paid by the financial institution upon which demand is made, the department may cancel the registration after 60 days after the department receives a notice of nonpayment from the financial institution, subject to sub. (3).

(3) At least 20 days before canceling a registration under sub. (2), the department shall provide a notice to the registrant that informs the registrant that the check or demand for payment under the debit or credit card transaction was not paid by the financial institution and that the registrant's registration may be canceled, unless the registrant does all of the following before that date:

(a) Pays the fee for which the unpaid check or demand for payment under the debit or credit card transaction was issued.

(b) Pays any applicable late fee.

(c) Pays the charge for an unpaid draft established by the depository selection board under s. 20.905 (2).

(4) The department may extend the date for cancellation to allow the registrant additional time to comply with sub. (3) (a) to (c).

(5) The department may reinstate a registration that it cancelled under this section only if the former registrant complies with sub. (3) (a) to (c) and pays a \$30 reinstatement fee.

**202.095 Rules.** The department shall promulgate rules to implement this chapter.

202.11 (5m) "Department" means the department of financial institutions.

202.21 (3m) "Department" means the department of financial institutions.

**SECTION 1990g.** 217.11 (5) of the statutes is amended to read:

217.11 (5) If a licensee ceases to do business in this state, the licensee shall deposit the licensee's records and proceeds of checks and remittances relating to checks sold in this state with the ~~state treasurer~~ secretary of revenue. On claim and submission of proof of ownership satisfactory to the ~~treasurer~~ secretary of revenue, the ~~treasurer~~ secretary of revenue shall pay such amount of the funds deposited as are owing to a person. Such funds as are not paid out within 20 years from date of deposit shall escheat to and become the property of the state, and shall be paid by the ~~treasurer~~ secretary of revenue and be dealt with in the same manner as other escheated property.

**SECTION 1990m.** 220.08 (14) of the statutes is amended to read:

220.08 (14) The division may pay the moneys held by the division to the persons entitled to them, upon being furnished satisfactory evidence of their right to the same.

In cases of doubt or conflicting claims, the division may require an order of the circuit court authorizing and directing the payment thereof. The division may apply the interest earned towards defraying the expenses in the payment and distribution of such unclaimed deposits or dividends to the depositors and creditors entitled to receive them, and if necessary may draw on the fund to defray such expenses. After one year from the time of the order for final distribution, the division shall report and deliver all unclaimed funds to the ~~state treasurer~~ secretary of revenue as provided in ch. 177. All claims subsequently arising shall be presented to the division. If the division determines that any claim should be allowed, the division shall certify to the department of administration the name and address of the person entitled to payment and the amount thereof and shall attach the claim to the certificate. The secretary of administration shall certify the claim to the ~~state treasurer~~ secretary of revenue for payment.

**SECTION 1990s.** 220.08 (20) of the statutes is amended to read:

220.08 (20) In the event the division, as statutory receiver of closed state banks or in connection with the division's supervision of segregated trusts, shall have possession of any funds or property by reason of any recovery on an official bond or otherwise, and said funds shall not belong to or be attributable to any specific bank or banks in liquidation or to any specific segregated trust or trusts and it shall appear that all or a number of banks in liquidation or all or a number of the segregated trusts supervised by the division or the depositors or other creditors of such banks or trusts, may have an interest in such funds or property, the division may petition the circuit court for Dane County for an order directing the disposition of such funds or property. The court, upon presentation of such a petition, shall direct the division to give such notice of hearing thereon, by publication of a class 3 notice, under ch. 985, or otherwise, as appears reasonable under the circumstances. The expenses of the division in any such proceeding shall be paid out of such funds or property. If it shall appear to the court that the persons to whom such funds or property may ultimately belong cannot be found or ascertained or that the expense of such ascertainment would in the judgment of the court be excessive or unreasonable under all the circumstances, the court shall enter an order directing the division to transmit such funds or property to the ~~state treasurer~~ secretary of revenue to become the property of the state. Any person claiming an interest in any such funds or property so ordered to be transmitted to the ~~state treasury~~ secretary of revenue may within 5 years after the entry of such order bring suit against the state for recovery thereof without interest.

**SECTION 1991.** 224.42 (1) (a) of the statutes is amended to read:

224.42 (1) (a) "Financial institution" has the meaning given in 12 USC 3401 (1) s. 49.45 (4m) (a) 3.

**SECTION 1991p.** 227.01 (8m) of the statutes is created to read:

227.01 (8m) "Permanent rule" means a rule other than a rule promulgated under s. 227.24.

**SECTION 1992.** 227.01 (13) (im) of the statutes is repealed.

**SECTION 1993.** 227.01 (13) (Lr) of the statutes is created to read:

227.01 (13) (Lr) Determines what constitutes high-demand fields for purposes of s. 38.28 (2) (be) 1. b.

**SECTION 1995.** 227.01 (13) (ur) of the statutes is repealed.

**SECTION 1996.** 227.03 (7m) of the statutes is amended to read:

227.03 (7m) Except as provided in s. 401.143 292.63 (6s), this chapter does not apply to proceedings in matters that are arbitrated under s. 401.143 292.63 (6s).

**SECTION 1996bp.** 227.135 (3) of the statutes is amended to read:

227.135 (3) If the governor approves a statement of the scope of a proposed rule under sub. (2), the agency shall send an electronic copy of the statement to the legislative reference bureau, in a format approved by the legislative reference bureau, for publication in the register. On the same day that the agency sends the statement to the legislative reference bureau, the agency shall send a copy of the statement to the secretary of administration. The agency shall include with any statement of scope sent to the legislative reference bureau the date of the governor's approval of the statement of scope. The legislative reference bureau shall assign a discrete identifying number to each statement of scope and shall include that number and the date of the governor's approval in the publication of the statement of scope in the register.

**SECTION 1996d.** 227.14 (4m) of the statutes is amended to read:

227.14 (4m) NOTICE OF SUBMITTAL TO LEGISLATIVE COUNCIL STAFF. On the same day that an agency submits a proposed rule to the legislative council staff under s. 227.15, the agency shall prepare a written notice of the agency's submittal to the legislative council staff. The notice shall include a statement of the date on which the proposed rule has been submitted to the legislative council staff for review, of the subject matter of the proposed rule and of whether a public hearing on the proposed rule is required, and shall identify the organizational unit within the agency that is primarily responsible for the promulgation of the rule. The notice shall also include a statement containing the identifying number of the statement of scope for the proposed rule assigned under s. 227.135 (3), the date of publication and issue number of the register in which the statement of scope is published, and the date of approval of the statement of scope by the individual or body with policy-making powers over the

subject matter of the proposed rule under s. 227.135 (2). The notice shall be approved by the individual or body with policy-making powers over the subject matter of the proposed rule. The agency shall send an electronic copy of the notice to the legislative reference bureau, in a format approved by the legislative reference bureau, for publication in the register. On the same day that the agency sends the notice to the legislative reference bureau, the agency shall send a copy of the notice to the secretary of administration.

**SECTION 1996dp.** 227.16 (2) (e) (intro.) of the statutes is amended to read:

227.16 (2) (e) (intro.) The proposed rule ~~and the fiscal estimate required under s. 227.14 (4) are, as submitted to the legislative council staff under s. 227.15 (1), is sent to the legislative reference bureau in an electronic format approved by the legislative reference bureau and published in the notice section of the register with a statement that the proposed rule will be promulgated without public hearing unless a petition is received by the agency within 30 days after publication of the notice, signed by any of the following:~~

**SECTION 1996f.** 227.17 (1) (a) and (b) of the statutes are amended to read:

227.17 (1) (a) Send written notice of the hearing, in an electronic format approved by the legislative reference bureau, to the legislative reference bureau for publication in the register and, if required, publish the notice in a local newspaper.

(b) Send an electronic copy of the written notice of the hearing under par. (a) to each member of the legislature who has filed a written request for notice with the legislative reference bureau. Upon request, the legislative reference bureau shall furnish an agency with the name and address of each legislator who has requested notice.

**SECTION 1996fp.** 227.17 (2) of the statutes is amended to read:

227.17 (2) The notice under sub. (1) shall be given at least 10 days prior to the date set for a hearing. Notice through the register is considered to have been given on the effective date of the issue of the register in which the notice first appears, ~~or, if applicable, on the date prescribed under s. 227.22 (4).~~

**SECTION 1996h.** 227.17 (3) (b) of the statutes is amended to read:

227.17 (3) (b) ~~Either the text of A copy of the proposed rule in the form specified in s. 227.14 (1), or an informative summary of the effect of the proposed rule.~~ If the agency chooses to publish an informative summary rather than the full text of a proposed rule, the notice shall include a description of how a copy of the text may be obtained from the agency at no charge as submitted to the legislative council staff under s. 227.15 (1).

**SECTION 1996hp.** 227.17 (3) (c) and (d) of the statutes are repealed.